

FINAL ADDENDUM  
TO THE DRAFT EIR

**MEDICAL INSURANCE EXCHANGE  
OF CALIFORNIA OFFICE  
BUILDING EXPANSION  
Environmental Impact Report**


February 19, 1992

ER 89-42  
SCH# 90030297

Prepared for:  
City of Oakland  
City Planning Department







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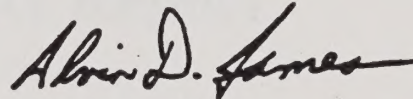
**City of Oakland**  
Oakland, California

**FINAL ENVIRONMENTAL IMPACT REPORT FOR:**

Medical Insurance Exchange of California Office Building Expansion  
(Project Title)  
California Environmental Quality Act

**CERTIFICATION OF COMPLIANCE WITH THE**  
**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The Director of City Planning finds that the attached Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act, the Guidelines prescribed by the Secretary for Resources, and the provisions of the City of Oakland's Statement of Objectives, Criteria and Procedures for Implementation of the California Environmental Quality Act.



ALVIN D. JAMES  
Director of City Planning

DATE: February 19, 1992

**ACCEPTANCE OF FINAL REPORT BY CITY PLANNING COMMISSION**

The attached Final Environmental Impact Report was accepted by the Oakland City Planning Commission at its meeting of \_\_\_\_\_.

THOMAS H. DOCTOR, Secretary  
City Planning Commission





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Environmental Impact Report**

February 19, 1992

ER 89-42  
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Prepared for:  
City of Oakland  
City Planning Department

**Environmental  
Science  
Associates, Inc.**

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*Sacramento*

*Los Angeles*





**MEDICAL INSURANCE EXCHANGE OF CALIFORNIA  
OFFICE BUILDING EXPANSION  
FINAL ENVIRONMENTAL IMPACT REPORT ADDENDUM**

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**MEDICAL INSURANCE EXCHANGE OF CALIFORNIA  
OFFICE BUILDING EXPANSION  
FINAL ENVIRONMENTAL IMPACT REPORT ADDENDUM**

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## **I. INTRODUCTION**

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### **A. CEQA PROCESS**

On May 31, 1991, the City of Oakland Planning Department (Lead Agency) released for public review a Draft Environmental Impact Report (Draft EIR or DEIR) on a proposed Medical Insurance Exchange of California Office Building Expansion (ER-89-42, SCH No. 90030297). The 45-day total public review and comment period on the DEIR began on May 31, 1991, and closed on July 15, 1991.

The Draft EIR for the Medical Insurance Exchange of California Office Building Expansion, together with this Addendum constitute the Final EIR for the proposed project. The Final EIR is an informational document prepared by the Lead Agency (City of Oakland Planning Department) that must be considered by decision makers (including the Oakland City Planning Commission) before approving or denying a proposed project. California Environmental Quality Act (CEQA) guidelines (Section 15132) specify the following:

"The Final EIR shall consist of:

- (a) The Draft EIR or a revision of that draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in a summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The response of the Lead Agency to significant environmental points raised in review and consultation process.
- (e) Any other information added by the Lead Agency."

This document has been prepared pursuant to CEQA guidelines. This Final EIR Addendum incorporates comments from public agencies and the general public, and contains appropriate responses by the Lead Agency to those comments.

## **B. METHOD OF ORGANIZATION**

This Final EIR Addendum for the proposed Medical Insurance Exchange of California Office Building Expansion contains information in response to concerns raised during the public comment period.

Section II of this document contains text changes and errata to the Draft EIR, reflecting necessary additions and corrections addressed by public comments or responses to the comments.

Section III contains a list of all persons and organizations that submitted written comments on the Draft EIR, and/or that testified at the public hearing held on June 26, 1991.

Section IV and V contains copies of written comments and a transcript of public testimony received at the public hearing on the Draft EIR, and responses to comments. The written comment documents are arranged by public agency, by organization, and then alphabetically for comments submitted by individuals. Comment reference numbers are shown in the margins of the comment documents. The responses to all numbered comments are found on the page following each comment document. Where written comments are similar to preceding comments, the reader is referred to the appropriate preceding response. Section V contains responses to all comments made at the public hearing in the order they were made. Where these parallel written comments, the reader is also referred to responses in Section IV.

Section VI is names of report authors and organizations consulted in the preparation of this Final EIR Addendum.



## II. ADDENDA TO THE DRAFT EIR

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The following corrections and changes are made to the Draft EIR and incorporated as part of the Final EIR:

Page 9, in the Mitigation Strategy column next to the third noise impact in Table S, "None warranted" is deleted and the following text is added (see also text change on DEIR p. 101):

"The project sponsor would redesign the proposed parking garage to incorporate a solid wall on the south side where the current design calls for louvers, as a mitigation for less-than-significant noise impacts."

Page 9, the last sentence in the Mitigation Strategy column next to the first noise impact in Table S is deleted and the following two sentences added (see also text change on DEIR p. 101):

"Limit construction activities to the hours between 8:00 a.m. and 3:00 p.m. to prevent disrupting residents and building tenants. (Noise sensitive periods in residential areas are between 7:00 p.m. and 8:00 a.m., and weekends.)"

Page 34, add the following sentence after the third sentence of the fifth paragraph:

"The project would not contain any retail uses."

Page 52, add the following five sentences after the first sentence of the first paragraph:

"The project would fill the gap between the existing MIEC and Blood Bank buildings, although it would be shielded in part by existing trees at the south side of the parking lot. Those trees would remain. The project would similarly fill the gap between the two existing buildings from viewpoints on Florio Street east and west of Auburn Avenue. On Auburn Avenue south of Florio Street, existing street trees and trees in the Blood Bank parking lot largely obscure the existing Blood Bank and MIEC buildings from view. Those trees would similarly block views of the project."

Page 59, the fourth sentence of the second full paragraph is revised as follows to correct a typographical error (revised text is underlined):

"In the afternoon, the project would add shadow to the rear yards of the two northernmost residences on the west side of Auburn Avenue (6225 and 6221 Auburn); new shadow would also fall on the rear wall of 6225 Auburn, adjacent to the existing MIEC office building."

Page 62, the second sentence of the third paragraph is revised as follows (revised text is underlined):

"This four-lane arterial extends from the Temescal area, above 51st Street, through the Rockridge area, and into the Oakland hill area."

Page 64, Figure 21 is replaced by a revised Figure 21 (see pp. 10A and 41 of this document).

Page 72, the first sentence of the first paragraph is revised as follows (revised text is underlined):

"MIEC currently leases 20 parking spaces for use by employees in an off-site parking lot at 5354 Claremont Avenue at Clifton."

Page 73, the first paragraph is revised as follows to correct a typographical error (revised text is underlined):

"The use of the mode split data and an average carpool occupancy rate of 2.0 result in a vehicle trip generation of approximately 96 trips, nine a.m. peak-hour trips, and eight p.m. peak-hour trips."

Page 75, Figure 23 is replaced by a revised Figure 23 (see pp. 10B and 42 of this document).

Page 76, Table 9 is replaced by an amended Table 9 (see page 7 of this document).

Page 78, Figure 24 is replaced by a revised Figure 24 (see page 10C and 43 of this document).

Page 83, the first mitigation measure is replaced by the following:

- "• Implement a Transportation Demand Management (TDM) Plan. The suggested outline of a TDM Plan is presented [on pp. 8 - 10 and pp. 68 - 70 of this document]."

Page 101, under MITIGATION MEASURES, the following sentence is added at the end of the first mitigation measure:

"Such temporary location arrangements would be established in discussions between the project sponsor and affected businesses, with the City overseeing the negotiations."



Page 101, under "MITIGATION MEASURES", the fourth mitigation measure is deleted and the following one added:

- "Limit construction activities to the hours between 8:00 a.m. and 3:00 p.m. to prevent disrupting residents and building tenants. (Noise sensitive periods in residential areas are between 7:00 p.m. and 8:00 a.m. and weekends. Because the Britannica Learning Center is generally considered to be an after-school study center, excessive noise generation during after-school hours should be avoided.)"

Page 101, under "MITIGATION MEASURES," the following text is added following the fourth mitigation measure:

"Measure Proposed to Reduce Non-Significant Effects

- The project sponsor would redesign the proposed parking garage to incorporate a solid wall on the south side where the current design calls for louvers, as a mitigation for less-than-significant noise impacts."

Page 120, under "GROWTH-INDUCING IMPACTS," the entire paragraph is revised as follows (revised text is underlined):

"The proposed project would add floor area devoted to MIEC office activities to the project site and would add a total of 50 off-street parking spaces for MIEC employees, after replacing 19 off-street parking spaces now on the site. The project would have minimal direct growth-inducing effects because of the project's small size (about 7,090 sq. ft. of office space and 27,100 sq. ft. of indoor parking) and because the project site has previously been developed for parking to serve adjacent office and medical uses. In conjunction with other commercial development in the Rockridge area of Oakland, the project could induce the redevelopment of existing moderate-intensity commercial sites with higher-intensity commercial uses. The project would also result in construction of the first structure largely devoted to parking in Rockridge and could induce attempts at further development of parking structures; such efforts would require approval from the Oakland Planning Commission. The project would accommodate 18 employees at the project site, six of whom would be net new employees, and would therefore have an insignificant impact on demands for new housing, City services, and on retail goods and services in the project area. Project employment would not be growth-inducing."

Page 121, under "A. NO-PROJECT ALTERNATIVE," the following is added as a new third paragraph:

"Similar to the 'No-Office Space Alternative' evaluated below, if the project were not to be built, MIEC could rent the additional office space and parking it needs in the project vicinity. The impacts of the six new employees associated with the project would not occur at the project site but would occur in the project vicinity."

Page 122, under "C. MITIGATED ALTERNATIVE," the second paragraph is revised as follows (revised text is underlined):

"This alternative would not provide a net increase in on-site parking spaces. It would reduce parking demand due to existing employees by an unknown amount. New employees would add to parking demand. According to the project sponsor, with this alternative, operational inefficiencies would result from not building additional parking space proposed with the project."

Page 123, after the discussion of "NO OFFICE SPACE ALTERNATIVE," the following is added as a new alternative:

"E. UNDERGROUND PARKING ALTERNATIVE

"The Underground Parking Alternative would consist of a two-story building on the project site and one level of parking constructed beneath all or a portion of the existing surface-level MIEC / Blood Bank parking lot. The two-story structure would include one story of office space above an entry-exit level for the underground garage. The building would accommodate approximately the same amount of office space as that proposed for the fourth (office) level of the project building, and would allow for connections with the adjacent existing MIEC and Blood Bank buildings. The underground parking structure could accommodate up to about 85 cars if it were constructed beneath the entire surface parking lot. This alternative would include a Transportation Demand Management (TDM) plan to reduce trip generation and parking demand. This alternative would not be permitted under the existing zoning because the garage would intrude into the adjacent R-35 zoning district; a Major Variance or Zoning Change would have to be granted by the Oakland Planning Commission.

"If the underground lot were constructed to accommodate about 31 cars, transportation and operational air quality impacts of this alternative would be the same as those of the project. If more cars were to be accommodated, the parking deficit for the MIEC and Blood Bank buildings would be reduced. Additional parking could cause more employees to drive to work; if this were the case, trip generation would increase, and operational air quality would be worsened. Construction air quality impacts would be greater due to increased excavation. Operational noise impacts would be diminished because most on-site traffic would be underground. Exhaust fan(s) would be required for ventilation of the garage, but would not be audible outside the garage; the net result would less noise, compared to the project. Construction time would likely be greater, and construction noise would therefore occur over a longer period of time. Biological impacts would be greater due to excavation that would require the removal of many, or all on-site trees and shrubs; this impact could be mitigated by replanting. Visual and shadow impacts would be less than under the project because of the smaller building; the temporary loss of vegetation could be significant if most or all on-site trees were removed. Other impacts would be similar to those under the project."



NOTE: This table replaces Table 9, DEIR p. 76.

TABLE 9: CUMULATIVE DEVELOPMENT PROJECTS IN VICINITY OF PROJECT SITE

<u>Project/Location</u>	<u>Land Use</u>	<u>Size</u>	<u>Prior Use</u>
<u>Occupied:</u>			
5417 College	Retail	4,900 SF	Vacant Lot
<u>Completed/Not Occupied:</u>			
5263 Claremont	Office	5,000 SF	New
5299 College	Restaurant	49 Seats	Office
5290 College	Retail	1,500 SF	Single-Family Unit
5800 College	Retail	11,591 SF	Gas Station
	Residential	5 DUs	
<u>Under Construction:</u>			
Dreyer's	Office	49,000 SF	New
	Retail	9,999 SF	
5417 College	Retail	2,900 SF	Office
5525 College	Restaurant	50 Seats	
<u>Proposed:</u>			
BART Expansion	Office	42,600 SF	New
	Retail	17,900 SF	
5700 Telegraph	Medical	16,600 SF	
	Clinic	8,000 SF	
	Office		
5372-5384 College	Library	10,000 SF	Retail

SOURCE: City of Oakland

The following text is included as part of the revised first mitigation measure on p. 83 of the DEIR (see p. 4 of this Comments and Responses document).

## **TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN**

### **A. INTRODUCTION**

The most important component of any TDM Plan is the appointment of an on-site professional employee transportation coordinator. This person would be responsible for the dissemination of information, organization of services, and reviewing any site design elements which may affect travel habits (e.g. establishment of preferential carpool/vanpool parking).

### **B. TDM CONCEPTS AND RELATED PROGRAM OPTIONS**

#### **1. Shift Solo Drivers to High Occupancy Vehicle (HOV) Modes**

The goal of this first concept is to promote commuting in vehicles where at least two commuters travel together. Carpooling, vanpooling, and use of bus and BART transit modes are key HOV features. To accomplish a shift from solo driving to HOV modes, the following program options have been found to be successful:

#### **Carpooling**

- **Preferential Parking for Carpools.**
- **Ridesharing Matching Service.** This option provides direct assistance with carpool formation by providing a "match list" to individual employees which contains names and phone numbers of other employees who live in the same area.
- **Guaranteed Ride Home Policy.** This program is designed to provide peace of mind for employees who worry that participating in a carpool or vanpool program would mean that they would have difficulty getting home in case of an emergency or unexpected overtime. Companies can provide taxi vouchers or company cars to transport employees who are unable to return home with their carpool. Companies that have instituted this program have found it surprisingly inexpensive, as employees rarely have to make use of the program.
- **Company Commitment to the Program.** In practice, employees may worry that meetings or other work responsibilities may leave them the flexibility to leave with their carpool or vanpool. Company policies which promote employee participation and state a commitment to recognizing carpool and vanpool schedules, as well as management participation in the program, have been shown to contribute to the acceptability of HOV modes.
- **Provision of Company Motor Pool.** If employees must use a vehicle during the day for work or personal use, an on-site company vehicle pool could provide vehicles for that purpose and allow employees to use alternatives to single-occupancy vehicles for commuting to and from work.

### Vanpooling

All of the program options listed above also apply to vanpooling. Some of the specific vanpooling provisions include:

- design of parking areas to accommodate vans,
- use of a larger database for trip matches (Bay Area Rides supplies such a list), and
- providing direct subsidies to vanpoolers.

### Bus/Rail Transit

Program options which promote use of bus, light rail, and commuter rail transit include:

- **Provision of Bus and Rail Transit Information.** The employee transportation coordinator would be responsible for providing bus and rail transit information regarding schedules, routes, shuttle stop information, and park and ride sites, as applicable.
- **Personalized Bus/Rail Route Matching.** The employee transportation coordinator can work with local bus companies and rail operators to choose routes and schedules for individual employees. This program would be particularly viable for MIEC, since its employee base is fairly small.
- **Free or Partially Subsidized Bus/Rail Passes.** Often employers offer their employees fully or partially subsidized rail or bus passes. Subsidy programs can be tied to an overall transportation subsidy, where employees can choose which mode to use.
- **Use of Shuttle to Make Connections to Rockridge BART.** The Rockridge BART station is located approximately 1,600 feet from MIEC. A company-owned shuttle may make pick-ups and drop-offs at AM and PM peak hours, since this distance may be considered too long to walk for some employees.
- **Provision of a company vehicle pool, as noted under "Carpooling,"** could make public transportation more feasible for employees.

### 2. Shift Solo Drivers to Non-Motorized Modes

This concept promotes commuting with bicycling and walking modes. Generally bicycling is more popular with employees within two or three miles maximum distance from the worksite. Walking may be popular, up to a maximum of a mile and a half radius surrounding the site. To accomplish a shift from solo driving to non-motorized modes, the following program options have proven effective:

#### Bicycling

- **Locker and Shower Facilities for Bicyclists.** Although this may be financially infeasible for MIEC, this is one of the key elements of encouraging bicycle use. Most bicyclists need showers after their ride



and a place to store clean clothes. This also may be accomplished by working out an agreement with an area health club, so that these services may be provided.

- **Secure Bicycle Parking.** Bicycle parking must be provided close to building entrances and far from on-street pedestrian pathways. Ideally, the area would be monitored by a security guard or camera.
- **Bicycling Promotional Campaign.** The employee transportation coordinator can hold special raffles and promotions for bicycle commuters, often in conjunction with local businesses.
- **Development and Promotion of Bike Routes.** The coordinator may work with bicycle commuter organizations, such as the East Bay Bicycle Coalition.
- **Employee Transportation Subsidy.** Unlike transit users, there are ordinarily no fees associated with bicycling or walking. Subsidies would in effect be bonuses for travel-conscious employees.

### Walking

Programs that promote commuting on foot include:

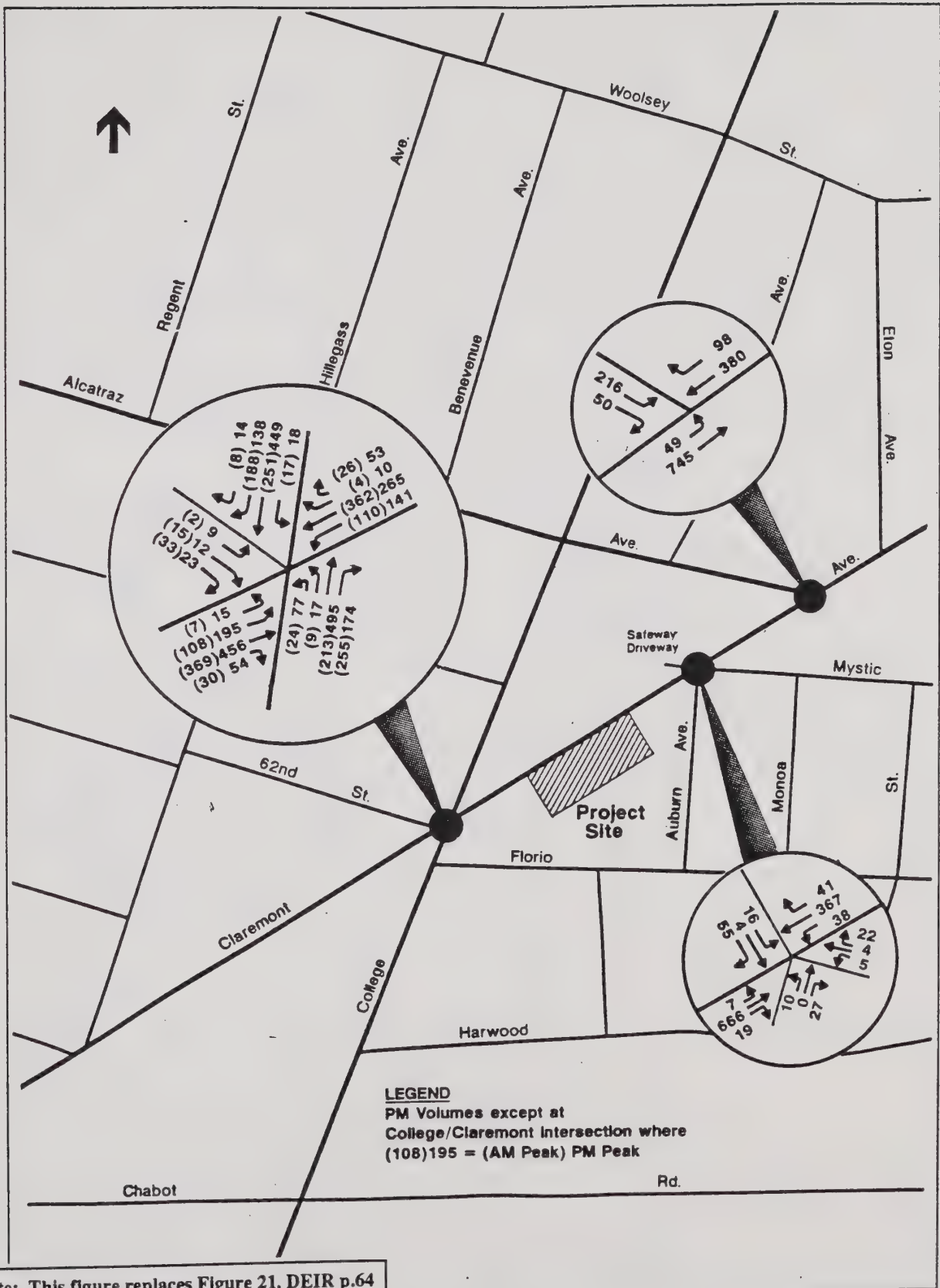
- **Attractive Pedestrian Environment.** Direct, well-lit pathways to building entrances and exits encourages pedestrian activity.
- **Use of Showers and Lockers.**
- **Walking Promotional Campaign.**
- **Employee Transportation Subsidy.**
- **Provision of a company vehicle pool, as noted under "Carpooling", could allow more employees to use bicycles or to walk.**

### 3. Shift Drivers to Non-Peak Hour Commuting Schedules (Flex-Time)

This concept involves shifting solo drivers, and even drivers who use HOV modes, out of peak commuting hours. This is commonly accomplished through the use of "flexible working hours," also known as "flex-time." It should be noted that this measure would alleviate some peak hour traffic, but would do little to improve the parking situation.

### 4. Reduce the Need to Commute to MIEC

There are two main strategies which are commonly employed to reduce the need to travel to the worksite: compressed work weeks and telecommuting. Compressed work weeks are a variation on flexible work hours, where employees work longer days in order to earn a day off every one or two weeks. Telecommuting is the accomplishment of work tasks at home or at some other off-site location, which would preclude travel to the office. Contact with the office may be maintained through use of the telephone, a computer modem, or facsimile machine.



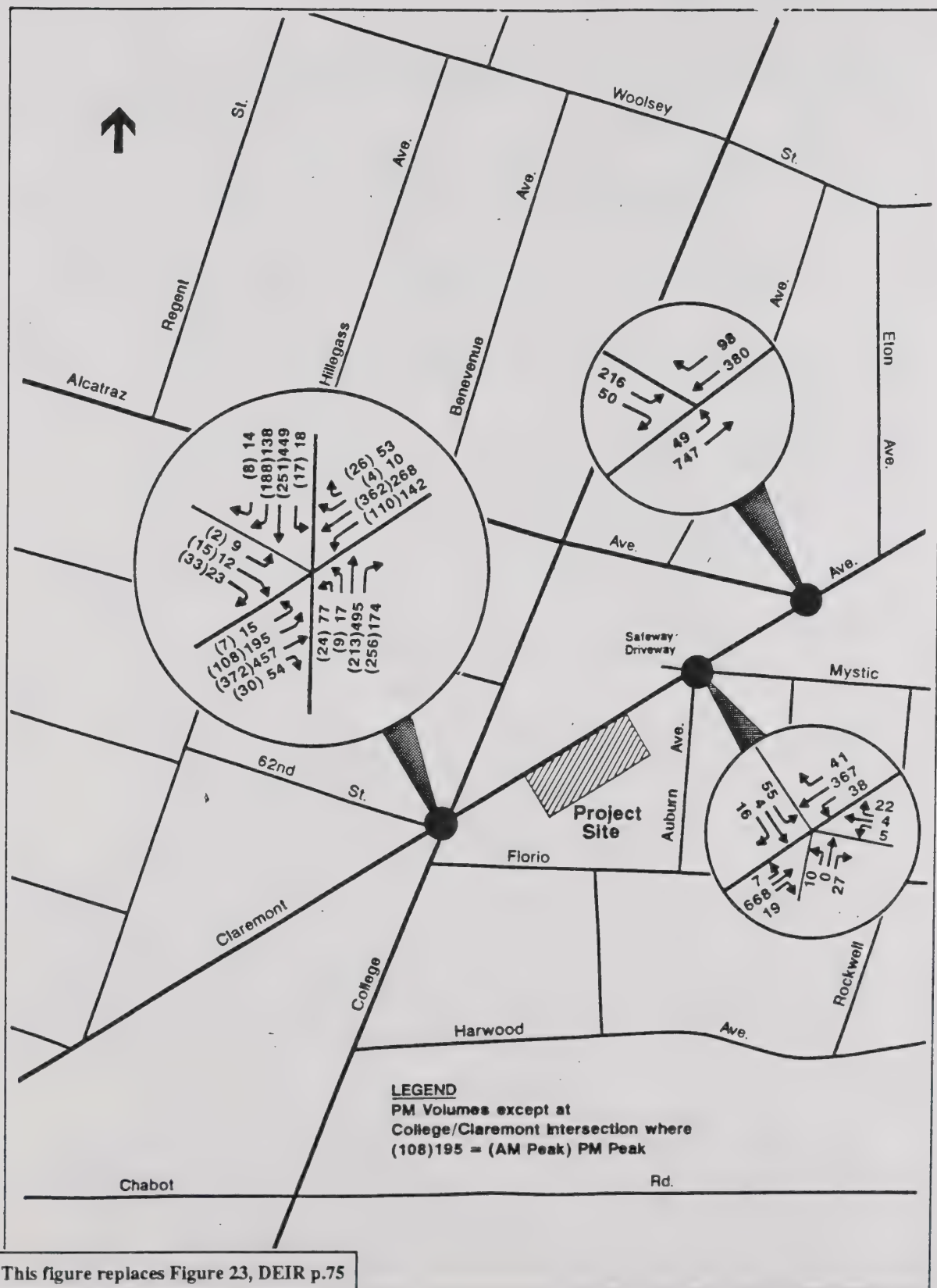
Note: This figure replaces Figure 21, DEIR p.64

MIEC Offices / 0045 ■

SOURCE: Korve Engineering, Inc.

**Figure 21 (revised)**  
 Existing Conditions,  
 PM Peak-Hour Traffic Volumes



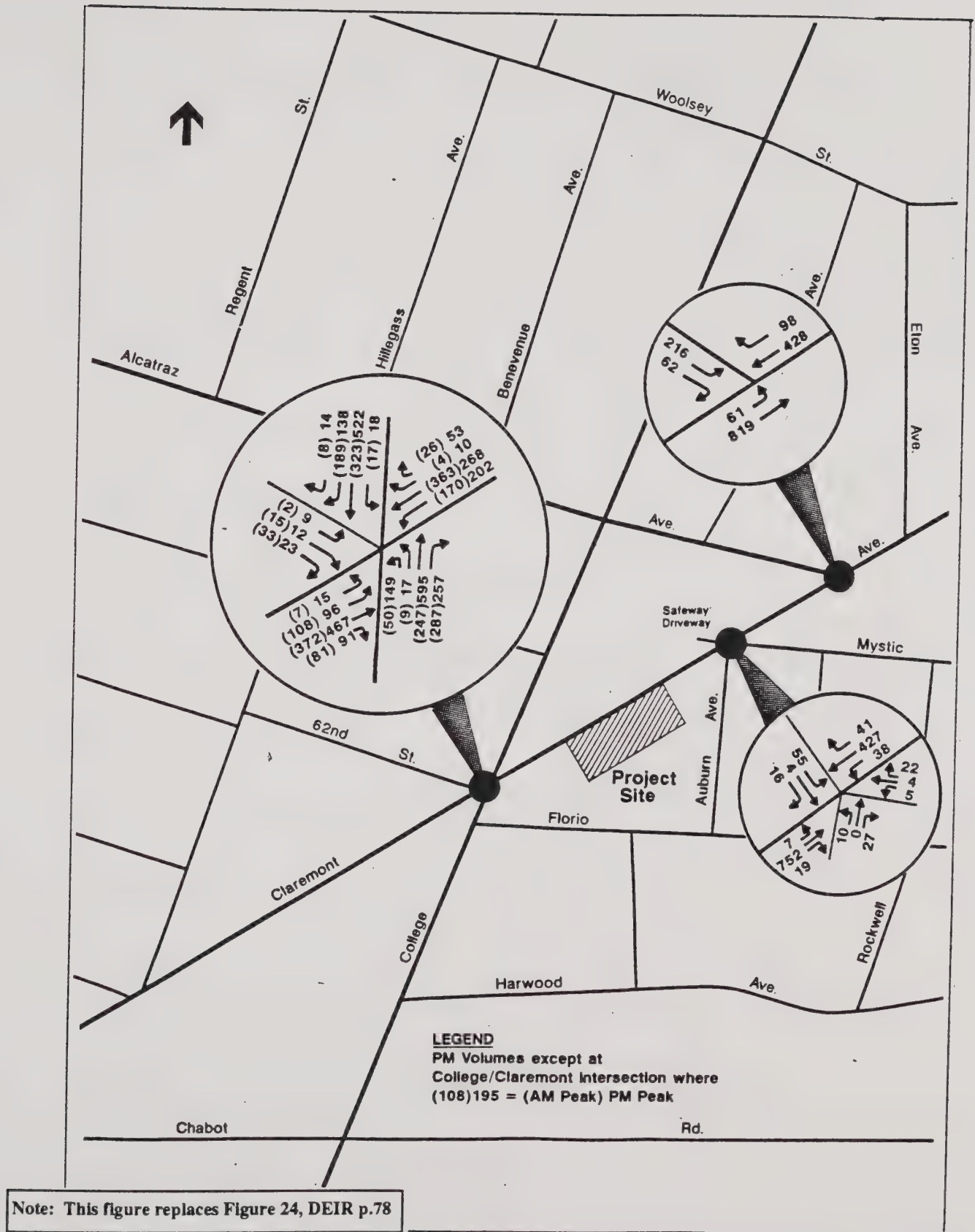


Note: This figure replaces Figure 23, DEIR p.75

SOURCE: Kolve Engineering, Inc.

MIEC Offices / 0045 ■

**Figure 23 (revised)**  
 Peak-Hour Traffic Volumes  
 at Key Intersections, Existing Plus Project



SOURCE: Korve Engineering, Inc.

MIEC Offices / 0045 ■

**Figure 24 (revised)**  
 Peak-Hour Traffic Volumes  
 at Key Intersections, Cumulative Plus Project





### **III. LIST OF PERSONS AND ORGANIZATIONS COMMENTING ON THE DRAFT EIR**

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#### **A. PERSONS AND ORGANIZATIONS COMMENTING IN WRITING**

The following agencies, organizations, and individuals submitted written comments on the Draft EIR during the review period (May 31 - July 15, 1991):

#### **PUBLIC AGENCIES AND ORGANIZATIONS**

State of California  
Native American Heritage Commission  
Debbie Pilas-Treadway, Staff Analyst

City of Oakland Office of Parks and Recreation  
Cleve Williams, Assistant Director

Medical Insurance Exchange of California  
L. Richard Mello, Secretary and Treasurer

Cooper, White and Cooper  
Alan C. Freeland

Rockridge Community Planning Council  
Kathleen Walsh, Chair, Board of Directors

#### **INDIVIDUALS**

Maxine Auerbach  
B.A. Bell  
Michael Bergeisen and Laurie Stoneham  
Ray and Roseanne Perman  
Tim Hallahan and Ann Hansen  
Manocher Movlai and Susan Varner  
Janet Walt  
Vincent and Sara Maniaci  
Laurie Williams and Allan Zabel  
Jane and Jack Brown  
William R. Dutcher  
Patrick Ellwood  
Robert A. Firehock  
Nancy Hendrickson and Dariush Arasteh  
Helen C. Kidder  
Norman Macleod  
Michael and Louise McGuinness  
Andrew Ross and Lisa Bagnatori  
Ethel S. Ruymaker and John Ruymaker  
Clifton S. Scott



### III. List of Persons and Organizations Commenting on the Draft EIR

#### **B. PERSONS AND ORGANIZATIONS COMMENTING AT THE PUBLIC HEARING**

The following persons provided DEIR comments at the Oakland City Planning Commission Public Hearing on the DEIR, at the Lakeside Garden Center on Wednesday, June 26, 1991.

Alan Freeland  
Richard Mello  
Kathy Walsh  
Norman Macleod  
Bob McCarver  
Ray Perman  
Claire Chapin  
Don Kinkead  
Tim Hallohan  
Winkie Campbell-Notar  
Jim Pryle  
Bill Dutcher

A written transcript of the public testimony is included in Section V. Each comment on the Draft EIR has been numbered in the transcript margin and responses to all numbered comments are found on the page following the transcript document.

#### **IV. WRITTEN COMMENTS AND RESPONSES TO WRITTEN COMMENTS ON THE DRAFT EIR**

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## GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET  
SACRAMENTO, CA 95814



Jul 15, 1991

AVRIL TOLLEY  
CITY OF OAKLAND  
#1 CITY HALL PLAZA  
OAKLAND, CA 94612

Subject: MEDICAL INSURANCE EXCHANGE OF CALIFORNIA BUILDING ADDITION  
SCH # 90030297

Dear AVRIL TOLLEY:

The State Clearinghouse has submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code required that:

"a responsible agency or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency."

Commenting agencies are also required by this section to support their comments with specific documentation. These comments are forwarded for your use in preparing your final EIR. Should you need more information or clarification, we recommend that you contact the commenting agency(ies).

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact Ken Button at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in dark ink, appearing to read "David C. Nunenkamp".

David C. Nunenkamp  
Deputy Director, Permit Assistance

Enclosures



# Notice of Completion

Appendix F

See NOTE below

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95834 916/445-0613

SCH # 90030297

Project Title: Medical Insurance Exchange of California Office Building Addition

Lead Agency: City of Oakland; Planning Department

Street Address: One City Hall Plaza

City: Oakland

Zip: 94612

Contact Person: Stanley Muraoka

Phone: (415) 273-3941

County: Alameda

## Project Location

County: Alameda

City/Nearest Community: Oakland

Cross Street: Claremont Avenue between Auburn Avenue and College Avenue

Assessor's Parcel No. Section Two Range Base

Within 2 Miles: State Hwy # SR24, SR13, I580

Airports:

Railways: SP

Schools: numerous public and private

## Document Type

CEQA:

☐ NOP

☐ Early Cons

☐ Neg Dec

☒ Draft EIR

☐ Supplement/Subsequent

☐ EIR (Prior SCH No.)

☐ Other

NEPA:

☐ NOI

☐ EA

☐ Draft EIS

☐ FONSI

Other:

☐ Joint Document

☐ Final Document

☐ Other

## Local Action Type

☐ General Plan Update

☐ General Plan Amendment

☐ General Plan Element

☐ Community Plan

☐ Specific Plan

☐ Master Plan

☐ Planned Unit Development

☒ Site Plan

☐ Rezone

☐ Prezone

☒ Use Permit

☐ Land Division (Subdivision)

Parcel Map, Tract Map, etc.)

☐ Amendment

☐ Redevelopment

☐ Coastal Permit

☒ Other Variance: Design/Review

## Development Type

☐ Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_

☒ Office: Sq.ft. 6,000 \_\_\_\_\_ Acres \_\_\_\_\_ Employees 18

☐ Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_

☐ Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_

☐ Educational \_\_\_\_\_

☐ Recreational \_\_\_\_\_

☐ Water Facilities: Type \_\_\_\_\_ MGD

☐ Transportation: Type \_\_\_\_\_

☐ Mining: Minerals \_\_\_\_\_

☐ Power: Type \_\_\_\_\_ Vars

☐ Waste Treatment Type \_\_\_\_\_

☐ Hazardous Waste Type \_\_\_\_\_

☒ Other: 50 parking spaces

## Project Issues Discussed in Document

☒ Aesthetic/Visual

☒ Agricultural Land

☒ Air Quality

☒ Archaeological/Historical

☒ Coastal Zone

☒ Drainage/Absorption

☒ Economic/Jobs

☒ Fiscal

☐ Flood Plains/Flooding

☐ Forest Land/Fire Hazard

☒ Geologic/Seismic

☐ Minerals

☒ Noise

☐ Population/Housing Balance

☒ Public Services/Facilities

☐ Recreation/Parks

☐ Schools/Universities

☐ Sewer Systems

☐ Sewer Capacity

☒ Soil Erosion/Compaction/Grading

☐ Solid Waste

☐ Toxic/Hazardous

☒ Traffic/Circulation

☒ Vegetation

☐ Water Quality

☐ Water Supply/Groundwater

☐ Wetland/Riparian

☐ Wildlife

☒ Growth Inducing

☒ Landmarks

☒ Cumulative Effects

☐ Other Energy

## Present Land Use/Zoning/General Plan Use

C-31 Special Retail Commercial

Project Description Three-story, five-level office/parking garage addition to its existing office building at 6250 Claremont Avenue. The addition would be located on an 8,771 square foot site between the MIEC Office Building and the Blood Bank (6230 Claremont Avenue), fronting on Claremont Avenue. The proposed addition would be approximately 30,000 square feet and would include one story of office space (+ 6,000 square feet), three levels of above-ground parking and one level of underground parking (+ 24,000 square feet).

HEARINGHOUSE CONTACT: Ken Button

(916) 445-0613

DATE REVIEW BEGAN: 5-30-91

PT REV TO AGENCY: 2-8

ENCY REV TO SCH: 7-12

1 COMPLIANCE: 7-15

PASE RETURN NOC WITH ALL COMMENTS

ID/APCD: 2 (Resources: 6/1)

GMT SNT

Resources

Conservation

Fish & Game

BCDC

Caltrans

Trans

Health

GMT SNT

ARB

SWRCD

SWRCD

Reg. WQCB

State Lands Comm

State Lands Comm

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State Lands Comm

## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 288  
SACRAMENTO, CALIFORNIA 95814  
(916) 322-7791



7/15

June 14, 1991

(enclosure to Letter I)

Stanley Muraoka  
City of Oakland Planning Department  
One City Hall Plaza  
Oakland, CA 94612

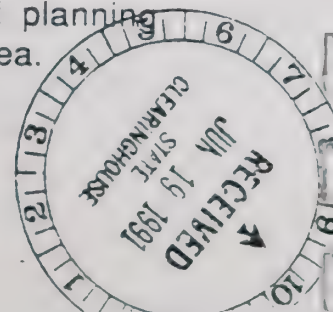
RE: EIR Medical Insurance Exchange of California  
Office Building Addition  
SCH# 90030297

Dear Mr. Muraoka:

I received the above referenced Draft EIR and it appears that no mitigation measures have been identified for the protection and preservation of archaeological and cultural resources. ①

Because a large number of archaeological sites have been recorded along the eastern margin of San Francisco Bay, there is a potential of discovering previously unrecorded sites within the project area. The concern of the Native American Heritage Commission is in those places where the prehistoric sites underlie areas which have either been buried beneath soil deposition or covered by existing structures. It is recommended that a record search be conducted at the California Archaeological Inventory's Northwest Information Center to determine if known sites exist within the project area or in the immediate vicinity; the center is located at Sonoma State University, Rohnert Park.

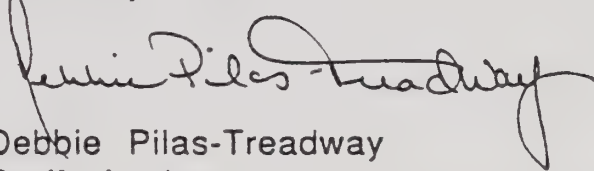
The California Environmental Quality Act (CEQA), Appendix K, deals with the discovery of archaeological sites and the procedures to follow. It contains information to follow when cultural resources, including human remains, are found during any phase of development. I recommended that Appendix K be used to develop guidelines and standardize procedures that provide adequate protection of cultural resources. I also recommended that you contact and work closely with appropriate Native American groups in the area during the initial planning stages. They may be able to offer input regarding sites in the area.



Enclosed is a copy of a brochure published by the Native American Heritage Commission for the use of planners, developers and property owners. It contains a breakdown of the California codes pertaining to Native American human remains and their disposition.

If you need any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debbie Pilas-Treadway".

Debbie Pilas-Treadway  
Staff Analyst

cc: Ken Button, State Clearing House



**RESPONSE TO LETTER I**

**Native American Heritage Commission**

1. It is noted that the City complied with the State Clearinghouse review requirements for draft environmental documents.
2. In the Initial Study for the project, included as Appendix A in the Draft EIR, the project's impact on archaeological resources was not considered to be a potentially significant environmental effect. The Native American Heritage Commission was sent a copy of the Notice of Preparation for the MIEC Office Building Expansion EIR; the Commission did not respond to the notice. Subsequent to publication of the DEIR, the Commission raised concerns regarding the discovery of cultural and historic artifacts. There is no known evidence of on-site cultural/historic artifacts.

California law requires that, when human remains are discovered on an excavation site, the county coroner must be notified. If the coroner determines that the remains are those of (a) Native American(s), the coroner must notify the Native American Heritage Commission, which, in turn, notifies the nearest descendants of the person whose remains were located. Because these steps are legally required, they are not mitigation measures under CEQA.

II

# CITY OF OAKLAND

## Interoffice Letter

City Planning  
Department

Attention: Alvin James


Date: July 9, 1991

From: Office of Parks and Recreation

Subject: Review and Comment - Medical Insurance Exchange  
of California Office Building Expansion

The Office of Parks and Recreation (OPR) appreciates having the opportunity to review and comment upon the Draft Environmental Impact Report (DEIR) for the proposed Medical Insurance Exchange of California Office Building Expansion. After reviewing the DEIR, OPR staff believe that all of the concerns noted in the OPR response to the ADEIR for this project have been addressed in the DEIR. No further impacts or concerns are noted at this time. ①

If there are any questions, please contact Management Assistant Melanie Fong at extension 3092.

  
CLEVE WILLIAMS  
Assistant Director

MF:dd

cc: Herbye K. White, OPR  
Stanley Muraoka, City Planning  
Tony Acosta, OPR  
Floretta Chisom, OPR  
Gordon Vinther, OPR

**RESPONSE TO LETTER II**

City of Oakland Office of Parks and Recreation

1. Comment is acknowledged; no response is necessary.



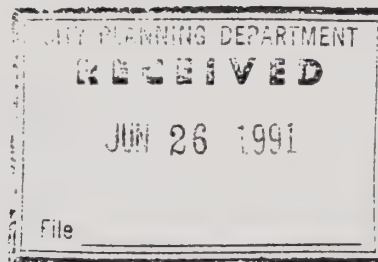
# MIEC

Medical Insurance Exchange of California  
Medical Underwriters of California ATTORNEY-IN-FACT

June 26, 1991

## Hand Delivered

Oakland City Planning Commission  
ATTN: Alvin D. James  
Director of City Planning  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, California 94612



RE: Medical Insurance Exchange of California (MIEC)  
Office Expansion and Parking Facility

Dear Members of the Commission:

On behalf of the MIEC, I wish to supplement the draft Environmental Impact Report (EIR) in this public hearing by describing our efforts to date to secure approvals to construct and occupy this proposed office and parking facility in Oakland. ①

The project was initiated almost two years ago. Upon filing the permit applications, copies of the application for major/minor conditional use permit, request for environmental review, and referenced building plans with elevations, plot plan, and sign design were provided to the co-chair of the Rockridge Community Planning Council (RCPC) zoning committee. A meeting of that committee and interested neighbors took place within a month of filing. RCPC subsequently identified a number of issues which they requested be the subject of an environmental impact statement. MIEC did not appeal the request for an EIR. At that time, we expressed confidence that any potentially adverse environmental effects alluded to would ultimately be determined to be insignificant, avoidable, or subject to reduction by reasonable mitigation measures. We believe the draft EIR supports that assessment. In September 1989, representatives of MIEC also met with the RCPC design review committee. While that committee did not formulate a specific report of endorsement, they did not report to us any objections with regard to the design for the facility. Subsequently, in April of 1990, a group of approximately ten of our neighbors in our immediate neighborhood contacted us to evaluate our project. We began a series of meetings with representatives of these neighbors culminating in three substantial plan revisions to the proposed facility. The substance of that review process and negotiation is summarized in a letter, dated September 12, 1990, to Avril Tolley, environmental planner with the City of Oakland Zoning Division. A copy of that correspondence is enclosed for your convenient reference. A copy of those neighbors' endorsement of the project is also enclosed.

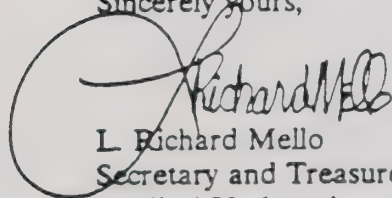
We believe it is important to consider this office expansion in its context. The current MIEC facility was constructed over six years ago, complete with underground parking and the small onsite parking pad. The proposed expansion is designed to accommodate our office employees who are no longer able to park in the surrounding neighborhood and to meet our expanding office requirements. Our employees' parking problem is in part because of the widespread institution of a parking permit program in Rockridge and in part due to the relocation of the

commuter loading zone (the latter alone reduced parking in the area by approximately 15 spaces). However, prior to the implementation of that permit program our employees' vehicles were often the subject of harsh treatment as unknown persons undertook vigilante efforts to discourage non-residential parking during the weekday.

It is important to note that this parking facility and office expansion is directed to the existing MIEC facility. It is not a precursor to any subsequent development—whether on MIEC property or any adjacent residential property. In this connection it is instructive to note that when the MIEC facility was built, neighbors inquired as to whether MIEC had any present plans for expansion. We were quick to point out at that time that we held no present plans for expansion and that we could foresee no expansion within the next five years. Today, MIEC representatives can confirm that with this facility in place all of its property is now fully developed, that we have no present plans to acquire any other property in the neighborhood, whether for purposes of expansion or otherwise, and that we intend to continue to house our business in Oakland. We are confident that this office expansion will meet our parking and office needs. We do not believe it is appropriate that any adjacent property, whether owned by the Blood Bank of the Alameda-Contra Costa Medical Association (Blood Bank) or by anyone else be linked to approval of this facility. We know of no plans for any further development of the Blood Bank property. Finally, we note that the Blood Bank parking lot is zoned R-35 (residential).

We think the proposed facility is very well integrated with our present building in its setting—continuing the residential theme of the present building. We emphasize our commitment to install a very substantial landscape plan which we initiated in our discussions with our neighbors (in this connection we are prepared to substitute additional redwood trees for the birch trees we proposed as suggested in the draft EIR). All of our progress to date has been undertaken with the input and substantial cooperation of our immediate neighbors. We trust that this process of early and substantive neighborhood involvement will facilitate an expedited process of approval of the Project.

Sincerely yours,



L. Richard Mello  
Secretary and Treasurer  
Medical Underwriters of California  
Attorney-in-Fact for Medical Insurance Exchange of California

LM/25jun01.ron  
Enclosures



September 12, 1990

(enclosure to preceding June 26, 1991, letter [Letter III])

Ms. Avril Tolley  
Environmental Planner  
City of Oakland  
Zoning Division  
421 - 14th Street  
Oakland, CA 94612

RE: Building Design Revision  
Case File No. ER89-42

Dear Avril:

I wish to thank Charlie and you for meeting with Alan Freeland and me on August 21 to review final design changes made in the Medical Insurance Exchange of California Building Addition project. These revisions are the culmination of a series of meetings instituted by a local residents' group.

As you know, during the Notice of Preparation phase (April 15 - May 15) of the Environmental Impact Report required by the City of Oakland for our project, Alan was contacted by Mr. Michael Yovino-Young, a resident at 6224 Auburn Avenue. As a spokesperson for approximately ten residents in the same neighborhood as MIEC and calling itself the "Auburn Avenue/Florio Street Residents Group," Mr. Yovino-Young wanted to meet with MIEC representatives to describe the group's concerns about design of the proposed structure.

In an initial meeting held at the existing MIEC facility on May 15, Mr. Yovino-Young and another Auburn Avenue resident, Mr. Andy Ross, mentioned the proposed structure's proximity to the residential property line. They also expressed concern about the garage area closest to the residences where noise and headlight glare might occur. As a remedy, they proposed that a part of the structure nearest to the residences be deleted thereby creating a substantially increased setback between the property line and the structure. Although the proposed deletion posed logistical problems to the garage as well as a loss of office space to the third floor, the tone of the dialogue between groups was both positive and constructive.

Our architect's first revision of the proposed structure was presented to Mr. Yovino-Young and Mr. Ross on June 22. It included a relocation of the entrance and exit ramps to the upper floors of the garage away from the residences and toward the Claremont Avenue side of the structure. Also, the side of the building nearest the residences was reduced and positioned inside the C-31 boundary. Although Mr. Yovino-Young and



Mr. Ross reacted favorably to these changes, it was their opinion the structure was still too close to the residences based upon their previous discussions with the residents' group.

On July 6, a second revision was presented to Mr. Yovino-Young. This revision provided a significant deletion of the structure near the residences, enough to cause a loss of two parking spaces on the second and third levels and three office spaces on the third story. Mr. Yovino-Young accepted this change and indicated that he would be presenting it to the entire group.

On behalf of MIEC, Alan wrote to Mr. Yovino-Young and expressed MIEC's appreciation to the neighbors for their willingness to critique the project and candidly share their concerns. In a letter dated July 30 from Mr. Yovino-Young he confirmed the favorable reaction of the group to the second revision and identified six "minor concerns" — the preservation and addition of new trees along the shared property line; the potential problem of headlight glare through ventilation openings; the location of ventilation equipment; the potential for public parking; the confirmation of no present or prospective plan to attempt to change the zoning of the existing R-35 zoned triangular parcel owned by the Blood Bank of the ACCMA.

Once again MIEC met with its architect to address these concerns of the residents' group. Based upon that meeting, a third revision was prepared by our architect. That revision was presented to Mr. Yovino-Young and another Auburn Avenue resident, Mr. Jim Pryle (who lives next door to MIEC), on August 17. This revision presented a landscape plan which includes a buffer of redwood and birch trees between the structure and the residences (we indicated that at the maximum, only one mature magnolia tree would be removed); the installation of metal louvers on the side of the building nearest the residences to block potential headlight glare; the location of the ventilation equipment onto the Claremont Avenue side of the structure away from the residences. On behalf of MIEC, Mr. Dick Mello confirmed that for a number of reasons the parking garage would not be put into commercial use. Mr. Mello also confirmed that MIEC has no plans to acquire, develop or attempt to change the zoning of the existing R-35 zoned triangular parcel owned by the Blood Bank of the ACCMA. There was a general consensus among the two residents and MIEC representatives that development of the property was very unlikely.

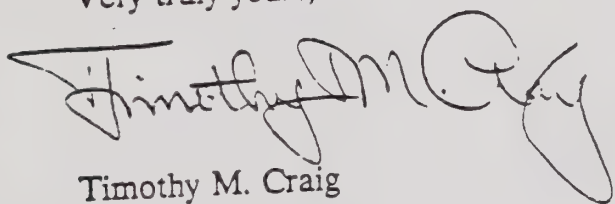
Mr. Yovino-Young and Mr. Pryle seemed pleased that MIEC was willing to undergo further design revisions to respond to the residents' additional concerns. They indicated they would be presenting the latest revision to the group and, subject to the approvals of this group, they intended to forward a formal endorsement letter to both the City of Oakland and the Rockridge Community Planning Council stating that the parking facility as redesigned was acceptable to the residents' group.

For your convenient reference, I have enclosed a brief summary of the major changes undertaken to the proposed facility in response to neighborhood input.

We are therefore submitting to you two current sets of architectural plans (one having already been submitted to you in our meeting on August 21 along with Mr. Yovino-Young and Mr. Freeland's correspondence), one for your use and one for the EIR consultant. With your approval, I will contact Chris Glore of Environmental Science Associates to authorize him to resume work on the ADEIR using the revised architectural plans.

Call me at your convenience if you have any additional questions about this project.

Very truly yours,



Timothy M. Craig  
Operations Manager

TMC/22aug08.brg  
Encl.

cc: L. Richard Mello  
Alan Freeland  
Charles S. Bryant, Environmental Review Coordinator, City of Oakland  
Michael Yovino-Young, Secretary, Auburn Avenue-Florio Street Residents Group



## Summary of Changes

The changes we have made are largely self-disclosing. For purposes of summary, I have listed them below:

1. Reconfiguration of the parking garage which includes relocation of the entrance and exit ramps for levels two and three away from the residences and onto the Claremont Avenue side of the proposed structure, utilizing existing MIEC and Blood Bank curb cuts (no new curb cuts will be required onto Claremont Avenue); use of a circular ramp accessed off Claremont Avenue for levels one through three; approximately 3,400 square feet of excavation for the basement level.
2. Redesign of the building perimeter which includes a setback increase from approximately seven to ten feet from the closest point of the proposed structure facing the shared property line with the first residence adjacent to the existing MIEC building and a setback increase from approximately 14 to 32 feet from the closest point of the proposed structure facing the shared property line with the second residence adjacent to the existing MIEC building; reduction of the south side of the structure to fit within the C-31 zone limits; squaring up and filling out of the structure on the side facing Claremont Avenue.
3. Redesign of the building exterior which includes the installation of metal louvers in previously designed open spaces on the south side of the structure; the installation of metal louvers on the first and second levels of the Claremont Avenue side of the building; the installation of planter boxes spanning the entire second and third levels on the Claremont Avenue side of the building to the overhead walkway on the side facing the Blood Bank building.
4. Substantial upgrade of the landscaping plan including installation of redwood and birch trees along corridor between south side of proposed and existing structure and residences; installation of small and medium sized shrubs around two ground level parking spaces on the south side of the structure; removal of landscaped area adjacent to exit gate and facing Blood Bank building; reconfiguration of shrubbery on Claremont Avenue side of structure to accommodate changes in structure.
5. Building square footage and parking space totals:

<u>Floor</u>	<u>Original Design</u>	<u>Revised Design</u>
Basement	6,000 (16)	9,368 (20)
First Level	6,000 (10)	6,015 (10)
Second Level	6,000 (13)	5,680 (8)
Third Level	6,000 (13)	6,040 (12)
<u>Third Story</u>	<u>6,000* (N/A)</u>	<u>7,088* (N/A)</u>
Totals	30,000 (52 - net 36)**	34,191 (50 - net 31)***

\*Additional 600 square feet of pedestrian walkway inadvertently not counted in original design.

\*\*Represents loss of nine existing Blood Bank parking spaces and seven existing MIEC parking spaces.

\*\*\*Represents loss of twelve existing Blood Bank parking and seven existing MIEC parking spaces.



September 25, 1990

City of Oakland

Attn: Avril Tolley

Oakland Planning Department  
1330 Broadway, Suite 310  
Oakland, CA 94612

(enclosure to preceding June 26, 1991, letter [Letter III])

Re: Case No. ER89-42

Building Addition to

Medical Insurance Exchange Property

6250 Claremont Avenue, Oakland, CA

Dear Ms Tolley:

Last May, you received a letter from me as Secretary for the Steering committee of the Auburn Avenue-Florio Street Residents Group. At that time, we presented a number of concerns regarding the proposed MIEC addition which we wished to make known to the City during the EIR process.

Since then, several of our resident group have had a series of meetings with representatives of MIEC during which a progression of design changes were negotiated. Several successive design modifications were made by their architect, the latest being received and reviewed in a meeting held on July 6th.

Following this meeting, our group prepared a letter dated July 30th, (copy attached) which conveyed our groups' general approval of the reduced and modified building plan and set forth our remaining concerns about the design, site planning, and use of the new building.

On August 17th, we again met with MIEC. Each of our concerns was responded to in a positive and acceptable manner. We, as a group, now recommend approval of this project.

Our Resident Group, comprising all the residences contiguous to the MIEC and Blood Bank properties and the visually impacted residents on the east side of Auburn Avenue, wish to put on record our acceptance and recommendation for approval of the redesigned building addition and related sitework which will be submitted for project approval in the near future.

As a group and as individual residents in the immediate proximity to this proposed project, we are prepared to testify that the property owner has met our substantive objections and concerns with a sequence of changes as summarized in a document submitted to you by MIEC dated September 12th.

Our neighborhood group is notifying both the RCPC and the more recently formed Rockridge Coalition community group of our actions and recommendations concerning this proposed development.

Sincerely,

Steering Committee, Auburn Avenue - Florio Street Residents Group

Michael Yovino-Young, Secretary	6224 Auburn Avenue #652-3969
Andrew Ross, Lisa Bagnatori	6215 Auburn Avenue #655-2876
Michael Dickinson	6221 Auburn Avenue #652-0755
Jim Pryle	6225 Auburn Avenue #652-4570
Paul and Dana Banchemo	6232 Auburn Avenue #653-0171

**RESPONSE TO LETTER III**

**Medical Insurance Exchange of California**

1. The letter from MIEC provides background information on the planning context of the project. This letter does not address the content or adequacy of the DEIR; therefore, no response is necessary.

REC'D 7-16-91 (11)

A PARTNERSHIP INCLUDING  
PROFESSIONAL CORPORATIONS

TELECOPIER (415) 433-5530

TELEX 262877 SCOOP

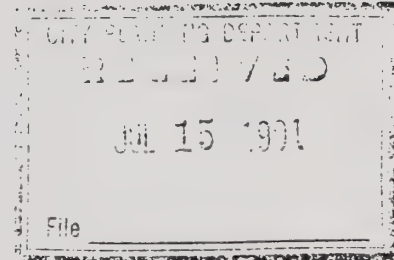
LAW OFFICES OF  
**COOPER, WHITE & COOPER**  
201 CALIFORNIA STREET SEVENTEENTH FLOOR  
SAN FRANCISCO CALIFORNIA 94111  
(415) 433-1900

CONTRA COSTA OFFICE  
1333 N CALIFORNIA BLVD  
WALNUT CREEK  
CALIFORNIA 94596  
(415) 935-0700

July 15, 1991

HAND DELIVERED

Oakland City Planning Commission  
Attention: Alvin D. James  
Director of City Planning  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612



RE: Medical Insurance Exchange of California (MIEC)  
MIEC Office Expansion and Parking Facility (ER89-42)

Dear Members of the Commission:

On behalf of MIEC, this letter supplements the MIEC oral presentation and correspondence to the Commission of June 26, 1991 in connection with your consideration of a draft environmental impact report for the proposed MIEC project. (1)

To refresh your recollection, the Initial Study identified approximately 75 Medical Underwriters of California (MUC) employees as currently working in the MIEC building. MUC is the attorney-in-fact for MIEC's professional liability insurance operations. Widespread implementation of the Oakland residential parking permit program in Rockridge, together with imposition of a commuter car-pool lane on Claremont Avenue has severely restricted the number of available neighborhood parking spaces for MUC and MIEC employee parking. As noted in the public hearing, the MIEC leased facility at 5354 Claremont Avenue accommodating 20 off-site parking spaces (from which employees are shuttled to the MIEC Building), is no longer available. That former Med-Choice Warehouse Club facility is now currently under consideration as the site of a U.S. Post Office facility utilizing Post Office delivery vehicles.

In sum, non-residential parking throughout the immediate area of the MIEC facility has been materially cut back. It is this reality that has forced MIEC to undertake to secure parking for its tenants by way of a modest parking facility on its adjacent parking pad on the only remaining property it owns in Oakland. Over a third of MUC employees in the MIEC Building must drive company provided vehicles to and from work and during the workday to deal with clients, claims, and claims representatives, attend settlement conferences and depositions



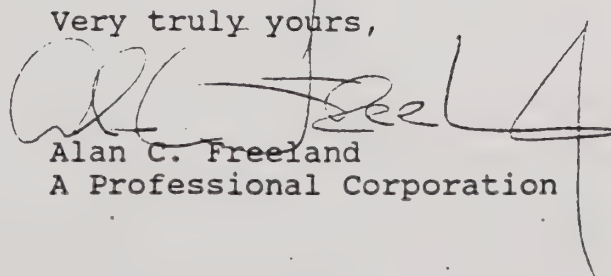
throughout the Bay area. Of the 75 MUC employees working in the MIEC Building, 28 drive company cars and are obligated to use those cars throughout the day. It is simply inconceivable that their duties can be fulfilled other than by utilization of company cars. To review the current state of affairs, the MIEC facility has 28 underground spaces and 7 spaces in its adjacent MIEC parking pad (2 of which are handicapped parking spaces). Six of the underground spaces are for retail tenants of the MIEC building. After accommodating the 28 company owned vehicles, one remaining space is available on MIEC property for the approximately 50 MUC employees who do not have any parking accommodations within the building or the surrounding areas. MIEC and MUC efforts to encourage carpooling and the like simply cannot address the fact that 28 employees must utilize company vehicles for judicial and claims appointments and for their other day-to-day business commitments. MUC employees who do not have company cars at the MIEC facility reside throughout a broad range of the Bay Area: Castro Valley (1), Hayward (1), Union City (1), Fremont (1), Walnut Creek (1), Pleasanton (1), Concord (2), Martinez (1), Clayton (1), Danville (1), San Francisco (4), Albany (1), Alameda (3), Berkeley (2), Oakland (8), Richmond (7), Hercules (1), Pinole (2), Crockett (2), Vallejo (3), San Pablo (1), Suisun (1), Rodeo (1). Despite unsupportable RCPC representations of "numerous" expansions over the last 10 years and assertions of a so-called "salami" approach of piece-meal development, the fact remains that the MIEC office building with its underground parking and adjacent parking pad was built six years ago and the subsequent broadbased area parking restrictions throughout the area have necessitated this development of the applicant's remaining small parking pad.

The Initial Study noted that the proposed facility is consistent with the scale of commercial development along Claremont Avenue. The site will be heavily landscaped with 28 new trees and will continue the residential design of the present MIEC facility. It is important to bear in mind that the proposed facility is replacing an open parking lot. It is the applicant's position, reinforced by even a casual observation of the site, that this portion of Claremont Avenue never has been a meaningful part of the C31 pedestrian oriented zoning on College Avenue except on a map. In part, this is because of the existence of adjacent uses such as the Blood Bank building, in part it is because of the existence of the enormous parking pad, gas station, and Safeway supermarket directly across the street from the site; and in part it is because Claremont Avenue, unlike College Avenue, is a major four lane arterial that one crosses

only at their peril. The proof of the pudding in terms of utilization of these properties for pedestrian oriented shopping lies in the fact that the retail portions of the MIEC building cannot be leased on a commercial basis to a retail tenant other than a learning center or the like. Since the proposed site is already an open parking pad, it flies in the face of reason to determine that such a use in the C-31 zone is the only use to which the property could be put. In the context of this project, a determination of the so-called "no project" or "no office space alternative" can constitute nothing more than an abuse of police power and a taking for which MIEC is entitled to substantial damages (First English Evangelical Lutheran Church of Glendale v. County of Los Angeles, 482 U.S. 304 (1987); See 42 U.S.C. §1983.

Members of the commission may continue to hold an opinion that the proposed facility is very "expensive" for the number of parking spaces to be secured. In part, the limited number of parking spaces to be provided and "closed" circulation pattern is a function of the very substantial downsizing of the project already undertaken by MIEC to accommodate residential neighbors. MIEC has proceeded on this project openly seeking input along the way, meeting with the RCPC committees (and receiving absolutely no feedback whatsoever from them), meeting with the neighbors and going through three separate iterations of the facility drawings to achieve the concurrence of those neighbors (as expressed in their letter of support of September 25, 1990 to the Oakland planning department). These very substantial accommodations, a facility design which completely eliminates any reasonable risk of noise or light escaping from the parking facility to bother residents manifests the good neighbor attitude which MIEC has maintained since the project began in 1989. No further changes or alternatives to the project are required or are appropriate based on the applicant's efforts to date, the limited size of the project, and the substantive evidence in the administrative record.

Very truly yours,



Alan C. Freeland  
A Professional Corporation

ACF:jl

**RESPONSE TO LETTER IV**

Cooper, White and Cooper

1. The letter from Cooper, White and Cooper provides background information on the planning context of the project. The information provided in this letter on MIEC parking and employee trip origins was taken into account during the preparation of the DEIR transportation analysis. This letter does not address the content or adequacy of the DEIR; therefore, no response is necessary.



# RCPC

ROCKRIDGE COMMUNITY PLANNING COUNCIL ■ 5856 COLLEGE AVENUE #130 ■ OAKLAND, CALIFORNIA 94618

July 12, 1991

RECEIVED

JUL 15 1991

Oakland City Planning Commission  
Attention: Charles S. Bryant, Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612

PLANNING COMMISSION  
ZONING DIVISION

RE: Medical Insurance Exchange of California Office Building Expansion:  
Draft Environmental Impact Report (ER 89-42; SCH# 90030297)

Dear Mr. Bryant:

This letter is written in response to the Draft Environmental Impact Report for the Medical Insurance Exchange of California Office Building Expansion.

## LAND USE, PLANS AND POLICIES, AND ZONING

- 1) As proposed, this land use does not conform to the basic tenets of the C-31 zoning. The location of the project on Claremont Avenue, in an area of light retail and office uses, could possibly be justification for a non-retail ground floor use. However, a parking garage conflicts with the office/retail/pedestrian nature of Claremont and adjacent streets. The finding required under Section 4482(a) of the Zoning Ordinance cannot be made. (1)
- 2) The parking structure sets an unfortunate precedent for Rockridge's built environment and will most likely be an inducement to further growth. The Draft EIR avoids the issue of such further growth, placing the responsibility of assessment on the Planning Commission. A master plan for the ultimate build-out of the site should be part of the EIR. (2)
- 3) The EIR considers impacts on approximately only half of the structures that would be affected by this development. The Final EIR should address the cumulative impacts of loss of privacy, view, and sunlight on *all* surrounding residential structures (including, Florio Street and the southern portion of Auburn Avenue, not covered in the Draft EIR). (3)

## URBAN DESIGN, VISUAL QUALITY AND SHADOWS

- 1) The EIR addresses the impacts of an increased employee count of 18 persons, as announced by the developer. The EIR should address impacts based upon a projected maximum occupancy for the office portion of the structure. Use of standard building occupancy formulae of approximately 150-200 square feet per employee result in a projected maximum occupancy of 35 - 47 new employees. To determine the full impact of the project, all assessment — including traffic and parking demand — should be based upon this higher occupancy. (4)
- 2) The EIR describes the project as a moderate addition to an existing (5)

development. However, as the proposed structure ties together two other oversized structures, the EIR should assess the design impact of the single combined bulk of the structures, which forms a monolithic 3- and 4-storied facade, stretching for a distance of approximately 430 feet. A scattering of ornamental vegetation should not be considered as a mitigating measure for the project. Moreover, if the proposed project's architectural quality is to be assessed by comparing it to the MIEC and Blood Bank buildings, the EIR must also address the compatibility of these two buildings with the surrounding residential and commercial structures.

- 3) The primary focus of the EIR is on the impact of the proposed structure as a component of a larger commercial area, and understates the impacts of the structure upon immediately adjoining single family residences.

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#### TRANSPORTATION, CIRCULATION AND PARKING

- 1) The scope of the assessment is inadequate in that it does not study current and projected traffic levels on the small surrounding residential streets and intersections, such as Auburn and Florio Avenues, and 62nd Street and Hillegass Avenue.
- 2) The EIR is inadequate because the traffic assessment does not include the cumulative peak hour effects of the Dreyer's corporate headquarters' office (49,100 sq. ft.) and retail use (9,999 sq. ft.), the BART project of 602 new parking spaces, and the Highway 24/13 interchange project. CEQA requires this cumulative assessment. It appears that Table 9 on page 76, detailing cumulative development projects, is inaccurate and should be redone (see attachment).
- 3) The traffic counts illustrated in Figure 21 for the intersection of Claremont and College Avenues are inaccurate because they omit a critical turning-count: the 62nd Street left-turn off of College.
- 4) The finding that the vehicle traffic at the intersection at College and Claremont Avenues operates at a Level of Service (LOS) of "D" is highly questionable. The findings of the traffic engineering consultant engaged to complete the Dreyer's EIR identified this subject intersection as operating at an unacceptable LOS of "F."
- 5) The EIR offers only one traffic-mitigating proposal. This proposal would result in a loss of approximately 35 public on-street parking spaces. As the proposed project will result in a net gain of only 31 parking spaces (with the questionable assumption of only 18 additional employees), the proposed mitigating measure would result in a net loss to the area of at least 4 spaces. Further, the proposal recommends 62nd Street be converted to a one-way street. The traffic analysis does not consider the impacts of one-way routing on the Bank of America parking lot, surrounding retail parking, and neighborhood-generated traffic flow.

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#### NOISE

- 1) The EIR focuses on the impacts of construction noise on surrounding businesses and recommends temporary relocation as a mitigating proposal. Regrettably, the EIR does not adequately address the issue of noise on the inhabitants of surrounding residences nor propose adequate mitigation for

12

them. Additionally, a detailed mitigation plan discussing the specifics of the proposed relocation of businesses and/or residences should be included.

- 2) The EIR does not address the issue of operating noise throughout the life of the structure. The proposed structure has large openings in the walls on the side of the residential area, at the 2nd and 3rd parking levels. Vehicle operating noise will be focused and projected through the 2nd and 3rd story openings, with little possibility of surface level noise attenuation. The result of this focused noise on surrounding residences will be significant, and the proposed vegetation has been proven by acoustic engineers to be ineffective in noise reduction.

(13)

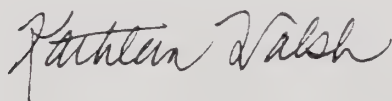
#### ALTERNATIVES

- 1) Immediate implementation of a Transportation Demand Management plan (TDM), no new construction.
- 2) Ground floor office or retail with upper floor parking, implementation of a TDM.
- 3) Office expansion, no parking, implementation of a TDM.

(14)

Thank you for considering our comments on this proposal.

Sincerely,



Kathleen Walsh, Ph.D., Chair  
for the Board of Directors of the  
ROCKRIDGE COMMUNITY PLANNING COUNCIL



TABLE 9: CUMULATIVE DEVELOPMENT PROJECTS IN VICINITY OF PROJECT SITE

<u>Project/Location</u>	<u>Land Use</u>	<u>Size</u>	<u>Prior Use</u>
<u>Occupied:</u>			
5417 College	Retail	4,900 SF	Vacant Lot
<u>Completed/Not Occupied:</u>			
5263 Claremont	Office	5,000 SF	New
5299 College	Restaurant	49 Seats	Single-Family Unit
5290 College	Retail	<del>11,591 SF</del>	Gas Station
5800 College	<del>Residential</del> Retail	<del>5-DUs</del> 11,541 SF	
<u>Under Construction:</u>			
Dreyer's	<del>Retail</del> Office	<del>9,999 SF</del> 49,180 SF	New
5417 College	Retail	2,900 SF	
5525 College	Restaurant	50 Seats	Office
<u>Proposed:</u>			
BART Expansion	Office	42,600 SF	New
	Retail	17,900 SF	
5700 Telegraph	Medical	16,600 SF	
	Clinic	8,000 SF	
5372-5384 College	Office		
	Library	10,000 SF	Retail / Residential

SOURCE: City of Oakland

The project would not produce substantial impacts at the two unsignalized intersections. The reserve capacity at the Claremont / Mystic / Auburn intersection would not change with project generated traffic, and the reserve capacity would decrease by one at the Claremont / Alcatraz intersection. Therefore, project impacts on the study intersections would not be considered to be significant.

#### Cumulative Traffic Conditions

Several projects in the vicinity of the proposed MIEC project have been proposed, were under construction, or were partially occupied at the time traffic count data was collected. These projects are presented in Table 9. Table 10 presents cumulative traffic conditions, with and without the project.

**RESPONSE TO LETTER V**

Rockridge Community Planning Council

1. The DEIR states on pages 34 and 38 that the proposed project is a conditionally permitted use in the C-31 Zone. As stated on pages 33-34 of the DEIR, the existing site is an off-street surface parking lot, while the project structure would be consistent with the scale of commercial development along Claremont Avenue and would also be consistent with the non-retail uses of the adjacent existing MIEC and Blood Bank buildings. The project itself would not contain any retail uses.

The DEIR is amended as follows: (This language is included in Section II of this document, Addenda to the Draft EIR.) Page 34, add the following sentence after the third sentence of the fifth paragraph:

"The project would not contain any retail uses."

2. The Draft EIR states on page 34 that the project could induce the redevelopment of existing moderate intensity commercial sites with higher-density commercial projects. As stated in CEQA Guidelines Section 15121, an EIR is an informational document that is used to assist the lead agency in making decisions on the project, but does not control the agency's exercise of discretion. In this instance, the Oakland Planning Commission would be the government body responsible for overseeing the future development of the area. The project would fill in the area between the existing MIEC and Blood Bank buildings and will stay within the C-31 designated portion of the site and not intrude into the adjacent R-35 Zone. The project is considered as the ultimate build-out of the site, because of current zoning that would limit further development of the MIEC - Blood Bank site.

The discussion under GROWTH-INDUCING IMPACTS on p. 120 of the DEIR is revised as follows (revised text underlined): (This language is also included in Section II of this document, Addenda to the Draft EIR.)

"The proposed project would add floor area devoted to MIEC office activities to the project site and would add a total of 50 off-street parking spaces for MIEC employees, after replacing 19 off-street parking spaces

now on the site. The project would have minimal direct growth-inducing effects because of the project's small size (about 7,090 sq. ft. of office space and 27,100 sq. ft. of indoor parking) and because the project site has previously been developed for parking to serve adjacent office and medical uses. In conjunction with other commercial development in the Rockridge area of Oakland, the project could induce the redevelopment of existing moderate-intensity commercial sites with higher-intensity commercial uses. The project would also result in construction of the first structure largely devoted to parking in Rockridge and could induce attempts at further development of parking structures; such efforts would require approval from the Oakland Planning Commission. The project would accommodate 18 employees at the project site, six of whom would be net new employees, and would therefore have an insignificant impact on demands for new housing, City services, and on retail goods and services in the project area. Project employment would not be growth-inducing."

3. The DEIR addresses visual impacts on residences on the north (Claremont Avenue), east (Auburn Avenue north of Florio Street) and south (Florio Street and Auburn Avenue south of Florio Street) sides of the project (see pp. 48, 52, 55). The DEIR states on p. 52 that residents near the corner of Florio Street and the southerly leg of Auburn Avenue would lose a partial view of the sky through trees in the parking lot behind the Blood Bank building. Because of the angle of Claremont Avenue, the existing Blood Bank and MIEC buildings block about half of the view to the north through the existing trees. The following language is added as new text after the first sentence of the first paragraph of DEIR, p. 52: (This language is also included in Section II of this document, Addenda to the Draft EIR.)

"The project would fill the gap between the two existing MIEC and Blood Bank buildings, although it would be shielded in part by existing trees at the south side of the parking lot. Those trees would remain. The project would similarly fill the gap between the two existing buildings from viewpoints on Florio Street east and west of Auburn Avenue. On Auburn Avenue south of Florio Street, existing street trees and trees in the Blood Bank parking lot largely obscure the existing Blood Bank and MIEC buildings from view. Those trees would similarly block views of the project."

4. The figure of 18 employees to occupy the proposed 7,090 sq. ft. of new office space is considered an accurate estimate, as the MIEC operation requires a high floor-area-to-employee ratio because of the filing space requirements for its insurance operations. Because the project would include office space for a specific use, it was appropriate to use these employment estimates to prepare the EIR analysis.

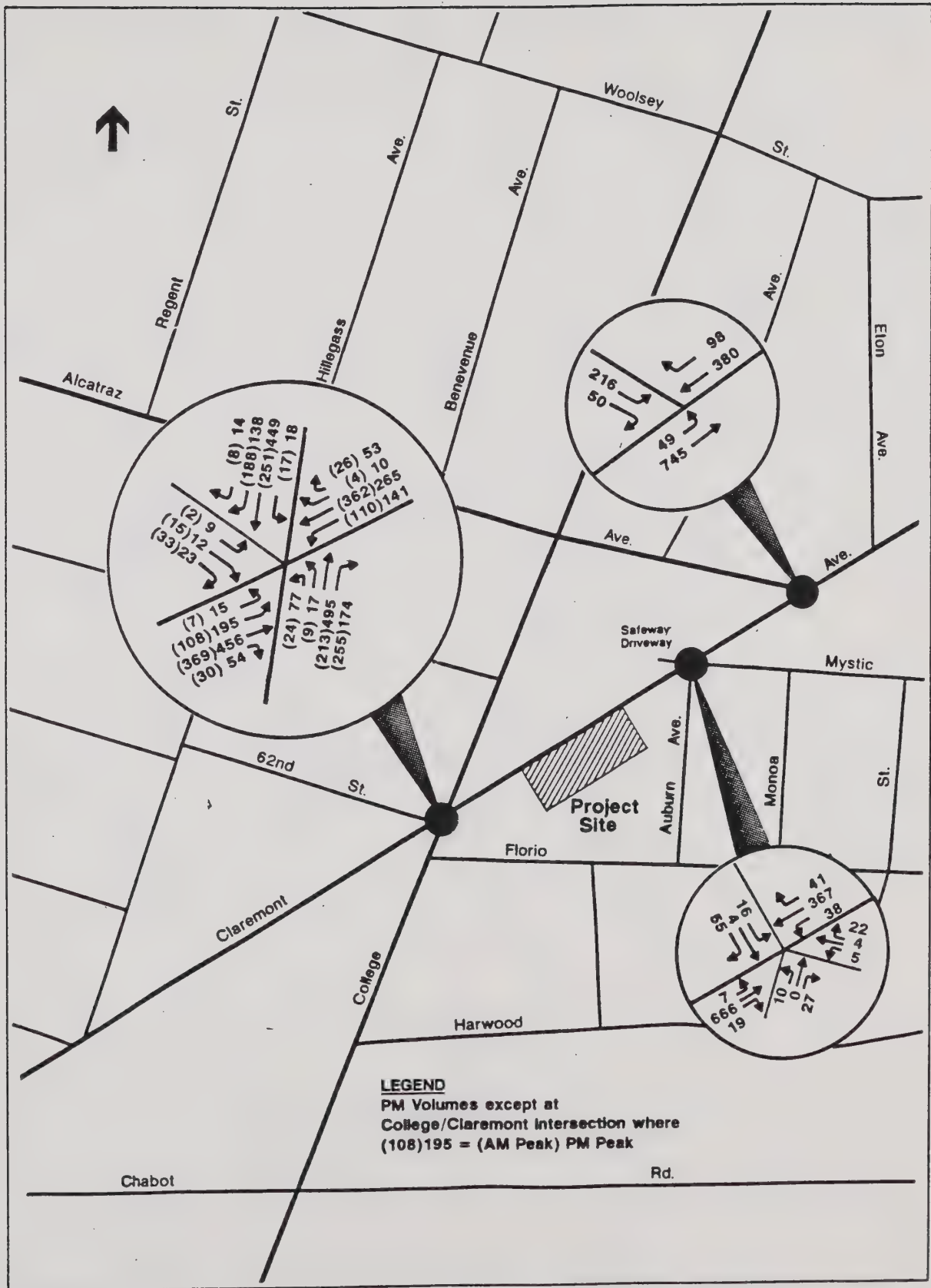


5. The DEIR (pp. 40-43) notes that the existing MIEC and Blood Bank buildings are larger than surrounding residential structures, that they are visible from many nearby locations, and that the project would be larger in scale than surrounding residences (p. 55 second paragraph). The DEIR discussed on p. 48 that the project would be comparable in massing to the two existing buildings and that the three structures together would create a continuous 35-foot building line for about 475 feet along the south side of Claremont Avenue. (See also Figures 13 and 14, pp. 49-50.) The DEIR also states that the varied design of the three buildings would visually differentiate them. The DEIR on pp. 54-55 discusses the project's architecture in the context of the existing MIEC and Blood Bank buildings and states that the project would be inconsistent with the scale and design of surrounding single-family residences. Mitigation measures presented on p. 60 and p. 111 state that landscaping would reduce visual impacts of the project. Those measures would not eliminate visual impacts.
6. The DEIR addresses the project's visual impacts on surrounding single-family residences on pp. 48, 52, and 55. On p. 48, second full paragraph, the DEIR states that impacts on views would be most substantial from the closest residences to the project, on Auburn Avenue. Shadow effects on these residences are also discussed on pp. 55-59 of the DEIR.
7. The project, by itself, would not cause significant traffic increases on residential streets. A great majority of automobile traffic would arrive via the main arterials -- Claremont Avenue and College Avenue. The lack of vehicle traffic increases on residential streets was considered in the EIR analysis. Project traffic would not be expected to use residential streets in the project area, because no time-savings benefit would be gained. The origins of project traffic, assumed for the analysis, confirm that most travel paths would be on main arterials rather than on residential streets (see MIEC Employee Survey Summary, Appendix C in the DEIR).
8. The list of cumulative projects was developed by the City of Oakland Planning Department, as agreed to in the scope of work. The omission from Table 9 (the cumulative project list) of the Dreyer's project's 49,000 sq. ft. of office space and the 5290 College Avenue project's 1,500 sq. ft. of retail space was a

typographical error. The traffic generated by these projects was included in the original cumulative traffic forecasts used to prepare the cumulative traffic impacts section of the DEIR. For an amended Table 9, please see Section II, Addenda to the Draft EIR, p. 7 of this document. The SR 24 / 13 project was considered in the traffic assessment, but is not listed as a development project; rather, it is considered a programmed roadway improvement. The proposed 425 BART parking spaces were considered in the traffic assessment, but were not included in Table 9 because these parking spaces would not by themselves generate a quantifiable number of new vehicle trips. Current excess demand for parking at the BART Rockridge station parking is about 400 vehicles./1/ Those vehicles must find parking in the surrounding neighborhood. The proposed new BART parking spaces would serve the proposed BART retail and office development listed in the table and would absorb existing parking demand by BART commuters driving to the Rockridge station. Construction of additional BART parking could generate new BART ridership and/or cause additional BART riders to attempt to locate parking at the Rockridge station, which would increase vehicle trips, although the potential increase cannot be quantified.

9. Figure 21 is modified to include the volumes for 62nd Street left turns off of College Avenue (see Figure 21 (revised), attached). It should be noted that this turning movement is not "critical," by traffic engineering standards; i.e. addition of vehicle turns to this movement would not necessarily decrease the overall level of service of the intersection and would not change the overall conclusion of the analysis. Similar changes are made for the existing plus project and cumulative plus project conditions (Figures 23 (revised) and 24 (revised), respectively).
10. The traffic analysis conducted for the Dreyer's EIR found that the intersection of Claremont and College operated at a volume to capacity ratio of 1.00, or LOS F. This analysis used the Planning Methodology from Circular 212 (Transportation Research Board). This method has been widely used in environmental review documents, and generally yields conservative estimates (worst-case) of signalized intersection operation.

The MIEC DEIR, with the unique geometrics of the Claremont/College intersection, used the 1985 Highway Capacity Manual (HCM) method for signalized intersection analysis. The HCM method assigns LOS designations

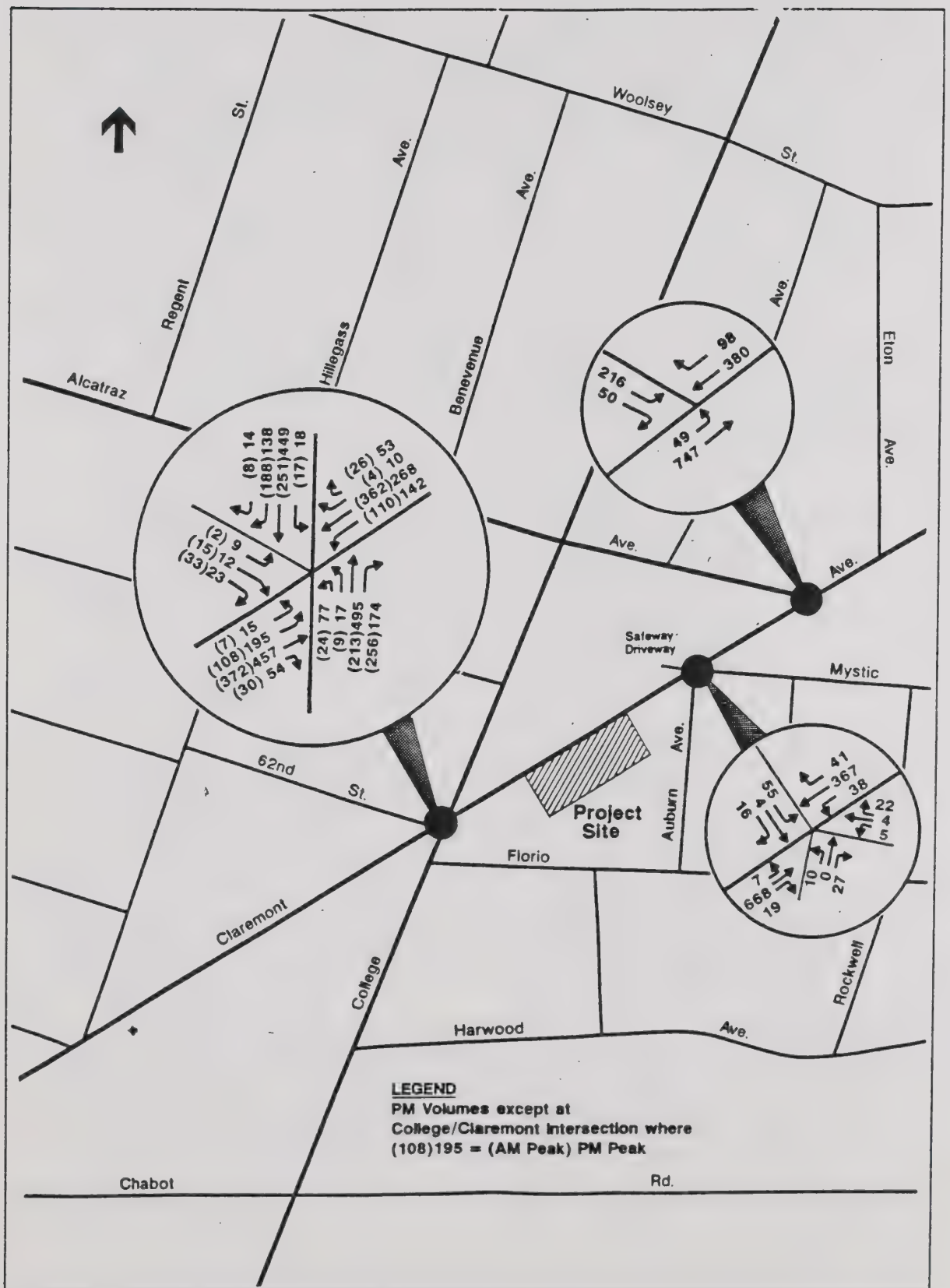


SOURCE: Korve Engineering, Inc.

MIEC Offices / 0045 ■

**Figure 21 (revised)**  
 Existing Conditions,  
 PM Peak-Hour Traffic Volumes

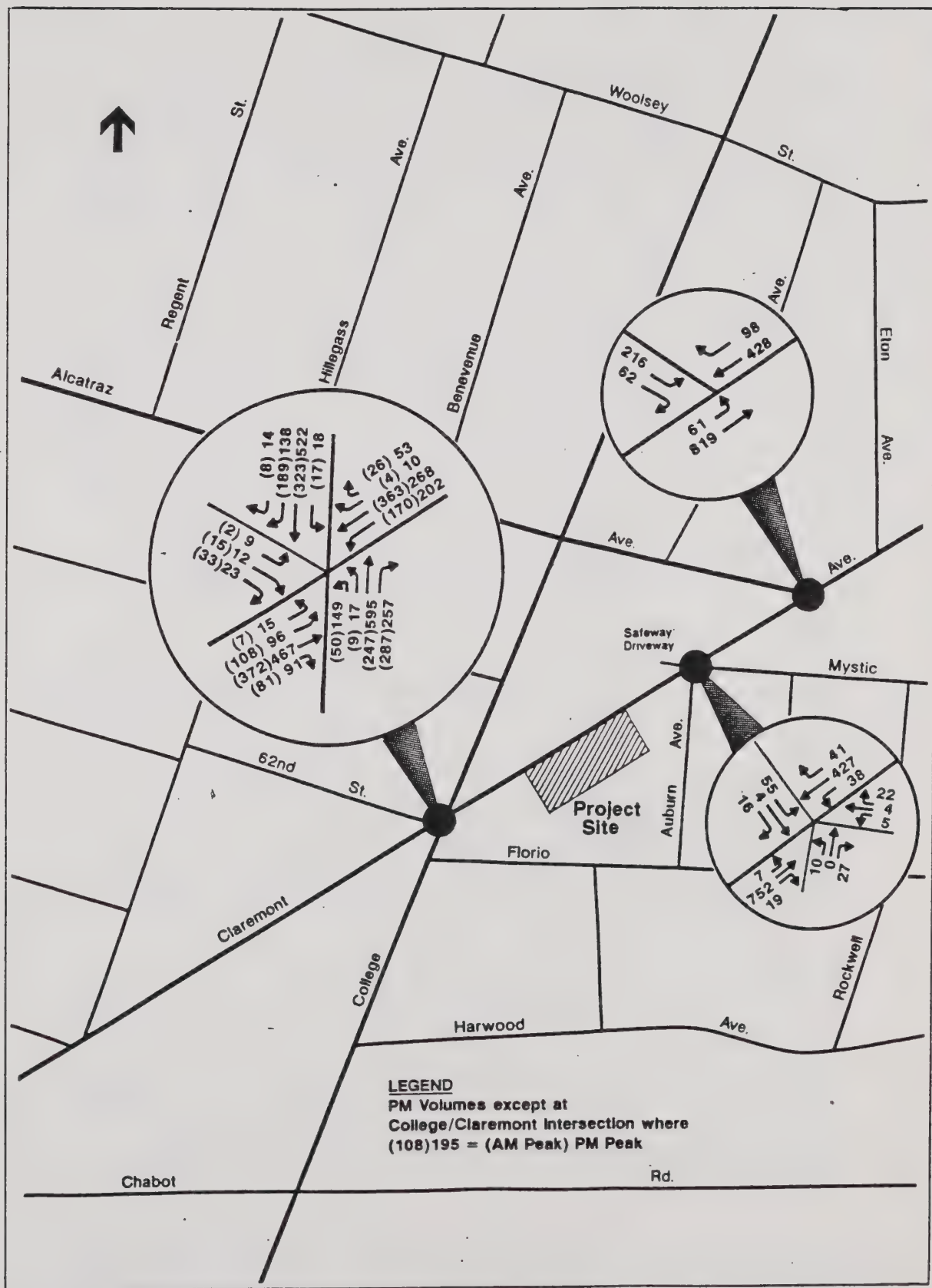




SOURCE: Korve Engineering, Inc.

MIEC Offices / 0045 ■

**Figure 23 (revised)**  
 Peak-Hour Traffic Volumes  
 at Key Intersections, Existing Plus Project



SOURCE: Korve Engineering, Inc.

MIEC Offices / 0045 ■

**Figure 24 (revised)**  
 Peak-Hour Traffic Volumes  
 at Key Intersections, Cumulative Plus Project

based on average delay for each lane group or approach, as well as the intersection as a whole, rather than volume to capacity ratio as used by the Circular 212 method (see p. 63 of the DEIR). The HCM method is considered more accurate for such situations. For this study, delay, measured in seconds per vehicle, was measured in the field for each approach. Thus, the LOS findings in this DEIR, while different than those in the Dreyer's EIR, are appropriate and accurate.

11. The identified mitigation measure, which would reconfigure the lane geometries at the Claremont/College intersection, would be a measure to mitigate cumulative effects, to which the project would contribute only a very small amount (less than one percent). Those improvements would be necessary to maintain existing service levels at the intersection even without the addition of MIEC project traffic. If this measure were implemented, without the project, 31 additional parking spaces would be lost, resulting in a net loss of 35, rather than four, parking spaces under cumulative conditions.

The proposed conversion of 62nd Street to westbound one-way operation would mitigate cumulative traffic increases, so that existing service levels would be maintained. The conversion of 62nd Street to one-way, westbound only operation would slightly improve p.m. peak-hour delay conditions at the Claremont / College intersection. It would not change the LOS. The measure would not directly mitigate a significant effect of the project, and would be an alternative to other measures identified on DEIR p. 81 to improve operations at the intersection.

The above mitigation measures are identified as means of mitigating traffic under cumulative project conditions. Implementation of either measure would be a discretionary action on the part of the City. Should either or both measure(s) be implemented, the project sponsor would be required to pay a fair share of the cost of the measure(s), commensurate with the project's contribution to cumulative traffic levels.

Some businesses, including the Bank of America, could suffer diminished parking access as a result of this mitigation measure. Although vehicles would have to travel a more circuitous route to access businesses and residences along 62nd Street, it is unlikely that the surrounding streets' peak hour level of service would be affected, given the relatively small amount of rerouted traffic.



The Traffic Demand Management (TDM) program identified as mitigation for parking impacts on p. 83 of the DEIR would, to the extent it were successful in reducing project-generated parking demand, also reduce project-generated traffic. See the response to Letter IX, pp. 62-70 of this document for further descriptions of the TDM plan.

12. To mitigate more specifically the effects of construction noise on nearby residents and building tenants, the DEIR is amended as follows: (This language is included in Section II of this document, Addenda to the Draft EIR.)

Page 101, under MITIGATION MEASURES, the following sentence is added at the end of the first mitigation measure:

"Such temporary location arrangements would be established in discussions between the project sponsor and affected businesses, with the City overseeing the negotiations."

Page 101, under MITIGATION MEASURES, the fourth mitigation measure is deleted and the following one added:

"Limit construction activities to the hours between 8:00 a.m. and 3:00 p.m. to prevent disrupting residents and building tenants. (Noise sensitive periods in residential areas are between 7:00 p.m. and 8:00 a.m., and weekends. Because the Brittanica Learning Center is generally considered to be an after-school study center, excessive noise generation during after-school hours should be avoided.)"

With the addition of this mitigation measure, it is expected that no residents would require relocation during project construction.

13. To assess the potential noise impacts generated by automobiles starting in the parking garage, noise from auto starts in an enclosed garage similar to that proposed with the project were measured. The noise level generated by an automobile start in a parking garage is about 78 dBA, 15 feet from the automobile. This noise level decreases as the car warms up and enters an idling mode, at which point measured noise levels were about 71 dBA, 15 feet from the automobile. Noise generated by autos traveling within an enclosed parking lot were also approximately 71 dBA.

The louvers to which the commenter refers would be located on the south side of the building, on the third level and part of the second level of the parking structure. A total of twenty parking spaces would be on the second and third parking levels; noise from automobile starts and travel on other levels of the parking structure would not be audible from the outside of the building. Under worst-case conditions (i.e. if vehicles left all twenty parking stalls), about twenty automobile engine turnovers and exits would occur during the p.m. peak hour. Existing measured evening peak-hour noise levels in this neighborhood are approximately 58 dBA,  $L_{eq}$  (DEIR, p. 94). Assuming no attenuation from the building walls or the louvers, the resulting peak-hour average noise level in the backyard closest to the proposed structure would increase by four decibels, to 62 dBA,  $L_{eq}$ .

The nighttime noise level near the project, measured after 10:00 p.m., is approximately 46 dBA,  $L_{eq}$ , as noted on DEIR p. 94. Because 96 percent of MIEC employees work between the hours of 7:00 a.m. and 6:00 p.m./2/, and because the process of starting a car and exiting the garage would be expected to last two to three minutes, it is highly unlikely that enough employees would leave the garage during any hour at night (10:00 p.m. to 7:00 a.m.) to generate a perceptible increase in hourly (average) noise levels.

The louvers would attenuate noise emanating from the parking garage. With the peak-hour noise level assumption described above, resulting noise levels at the backyards of residences closest to the parking structure would not perceptibly differ from existing backyard noise levels.

Although the DEIR identified no significant adverse impacts relating to parking lot noise, redesign of the proposed parking garage to incorporate a solid wall on the south side where the current design calls for louvers would reduce such effects. The following text is added to the DEIR, p. 101, after the fourth mitigation measure:

"Measure Proposed to Reduce Non-Significant Effects

"The project sponsor would redesign the proposed parking garage to incorporate a solid wall on the south side where the current design calls for louvers, as a mitigation for less-than-significant noise impacts."

The above measure also replaces "None Warranted" in the Mitigation Strategy column, next to the third noise impact in Table 9, p. 9 of the DEIR: (This language is included in Section II of this document, Addenda to the Draft EIR).

14. The impacts from two of these proposed alternatives have already been covered by the range of alternatives analyzed on pp. 121-123 of the Draft EIR. The impacts associated with constructing ground floor office space with upper floor parking and implementation of a TDM plan (commenter's alternative 2) have been covered in the analysis of the Reduced Magnitude alternative and the analysis of the project itself, depending on the amount of office space that would be constructed. Construction of retail space would not meet project objectives. The impacts from constructing only the office space and implementation of a TDM plan (commenter's alternative 3) have been covered in the analysis of the Mitigated Alternative. The commenter's alternative 1, implementation of a TDM plan without any new construction, would be the No-Project Alternative with voluntary adoption of a TDM program by the sponsor. This would be expected to decrease existing parking demand by an unknown amount.

The second paragraph under MITIGATED ALTERNATIVE on p. 122 of the DEIR is revised as follows (revised text underlined): (This language is included in Section II of this document, Addenda to the Draft EIR.)

"This alternative would not provide a net increase in on-site parking spaces. It would reduce parking demand due to existing employees by an unknown amount. New employees would add to parking demand. According to the project sponsor, with this alternative, operational inefficiencies would result from not building additional parking space proposed with the project."

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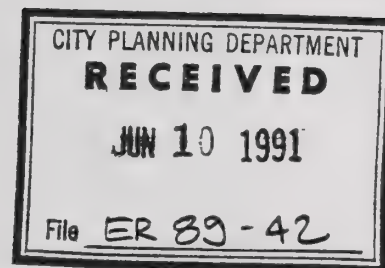
/1/ Bay Area Rapid Transit District, Rockridge BART Station Parking Expansion Project and Conceptual Future Joint Development DEIR, June 1991.

/2/ Zabierek, Peter, Korve Engineering, Inc., written communication, September 12, 1991.



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June 4. 1991



Charles S. Bryant  
Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612

Re: Proposed 5-Level Office/Parking  
Garage Addition to 6250 Claremont

Dear Mr. Bryant:

I live at 6216 Hillegass and I am writing to express my outrage that the proposed EIR report for the addition to 6250 Claremont includes a proposal that 62nd Street be made one way between College and Hillegass. I hope that this is the developer's proposal, rather than the City Planning Department, because it demonstrates a clear indifference to the terrible impact such a plan would have on our neighborhood. ①

Let me take the liberty of describing our neighborhood to you in the hopes that you will appreciate our concerns. The few blocks around 62 and Hillegass are more than city streets -- we are a neighborhood. We have small children and dogs who run and play on both sides of our street. We have pot luck dinners together; some of us have keys to each other's homes; we have had neighborhood earthquake preparedness meetings; we know where each other's children go to school in the event of an emergency; we have celebrated weddings and first communions together. We block off our street for July 4th celebrations. (Check for this year's permit which is now on file.) Some of us have been known to stop speeding drivers and chastise them for driving too fast on our streets. We have poured out of our houses at night the few times that people have been robbed on the street and yelled for help.

Over the years we have watched with concern as the traffic congestion on College Avenue has spilled onto our once quiet street. We lobbied for stop signs to slow the ever-increasing traffic. We organized to have more trees planted on our street for beautification and because we know that tree-lined streets have the effect of slowing traffic.

Charles S. Bryant  
June 4, 1991  
Page 2

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The "Clock Tower" traffic now turns onto Hillegass.. We fought against the plan to permit Dreyers' parking lot to have its entrance on Claremont because the entrance is nearly opposite the end of Hillegass. Now we wait with trepidation for what is certain to be a profound impact on our street -- people using Hillegass as an arterial from Alcatraz to Claremont and the Dreyers' building.

I am stunned that yet another traffic diversion onto Hillegass is contemplated. To turn 62nd into a one-way from College makes 62nd an artery and diverts all the College/Claremont traffic onto Hillegass. There is no question that a one-way street suffers more traffic and at greater speeds. There are families on 62nd with small children and people often stroll across the street leisurely. (2)

The proposed plan is a disaster for our neighborhood and is a terrible proposal. Even if 62nd were one-way going west, there is no other street to take the traffic one way east, except Alcatraz, since 63rd is now impossibly blocked with delivery trucks for Yasai's Market and pedestrian traffic at Royal Coffee.

We love our neighborhood and are trying to keep it special despite insensitive city planning and "over-urbanization". I cannot attend the public hearing on June 26 because I am going in for surgery at that time, but I request that this letter be disseminated to the members of the committee.

Please help us keep our special neighborhood. Good city planning means keeping the traffic on College or Claremont or a cessation of building. The answer to traffic congestion is not to spill it into the residential sections of our city. Do not rob us of our neighborhood.

Very truly yours,



Maxine Auerbach

MA:ma

cc: Hillegass neighbors  
62nd Street neighbors  
Marge Gibson Haskell  
Rockridge Community Planning Council  
Auburn Avenue-Florio Residence Group

**RESPONSE TO LETTER 6**

Maxine Auerbach

1. As noted on DEIR p. 81, and in Response 11 to Letter V, pp. 44-45 of this Comments and Responses document, this mitigation measure would improve intersection operations at College and Claremont Avenues by reducing intersection delays in the a.m. and p.m. peak hours in the cumulative-plus-project conditions.

This mitigation measure is not proposed by the project sponsor as part of the project. The measure is identified as means of mitigating traffic under cumulative-plus-project conditions. Implementation of the measure would be a discretionary action on the part of the City. Should the measure be implemented, the project sponsor would be required to pay a fair share of the cost of the measure, commensurate with the project's contribution to cumulative traffic levels.

2. The conversion of 62nd Street to one-way westbound operation is identified as a means of improving intersection operations at College and Claremont Avenues, as noted above. Traffic currently travels westbound on 62nd Street from Claremont and College. This measure would not be expected to increase substantially traffic volumes on 62nd Street or Hillegass Avenue; while westbound traffic volume on 62nd would increase somewhat, there would be no eastbound traffic.

Additionally, the Transportation Demand Management (TDM) program identified as mitigation on DEIR p. 83 (and revised in response to Letter IX in this document) would be expected to reduce project-generated traffic.



5823 Ross Street  
Oakland, CA 94618  
July 9, 1991

RECEIVED

Oakland Planning Commission  
Attn.: Charles Bryant, Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612

JUL 10 1991

PLANNING COMMISSION  
ZONING DIVISION

Dear Mr. Bryant,

After having reviewed the Medical Insurance Exchange of California office building expansion DEIR, I offer the following comments and recommendations.

pg. 3) The location is appropriate for offices and business, as it is located on a four lane street, close to public transportation, and is adjacent to similar development. However, *31 additional parking places are not enough*. This area is already overcrowded, from a parking perspective, and this project should, at the very least, provide enough parking for employees and clients of the building. A suggestion here would be to have a Merchant's Parking facility as has been proven successful elsewhere in the city, where persons patronizing this and other businesses could park with a validation from the participating merchants, or by paying a fee. Contrary to what has been in the media, this project will *not* bring in more cars, but will take cars off of nearby residential streets, if the appropriate parking is offered. ①

pg. 72) From the report it is obvious that the use of a satellite lot with a shuttle service is not satisfactory, as only 10 spaces out of 20 provided are used, while *92 autos a day pass this point each way* on their way to the MIEC--a total of 184 cars on this stretch of Claremont each day. ②

Correction: the satellite lot at 5354 Claremont is at Clifton, and *not* adjacent to the Rockridge BART station, which is over 1/2 mile distant. ③

pg. 62) Correction: Claremont Avenue does not extend from downtown Oakland--it begins in the Temescal area, above 51st Street. Also, it is not four lanes beyond Ashby Avenue.

Summary: I would like to see the MIEC expand, bringing more employment into Oakland, but not at the expense of increasing the already objectionable parking conditions in the area. The quality of the residential area is being degraded by employee parking now. Please request that the MEIC take greater responsibility for the alleviation of the overparking. ④

Sincerely,



B. A. Bell

**RESPONSE TO LETTER VII**

B.A. BELL

1. With the additional parking spaces and a successful TDM program as described on page 83 of the DEIR (also see response to Comment 2 for Letter IX herein), the project would be able to accommodate employee and client parking on-site. Merchant parking facilities are effective in other areas, although they are mainly set up for retail activities, rather than all-day office employee parking. Merchant parking facilities operate well when there is enough turnover in the lot to support sharing of parking. This is true in retail areas, as shoppers usually park for a few minutes up to two hours, opening up spots periodically. In contrast, office employees generally arrive during the morning peak hour and park for the entire day, with little turnover. Since there would seldom be spaces available when the user would need them, the utility of merchant parking for office uses is considered negligible.
2. At present, about 10 MIEC employees use the satellite lot on an average weekday. A properly designed TDM Plan, by offering incentives to employees, could encourage MIEC employees to use the satellite lot. (See response to Comment 2 for Letter IX below, for a description of a typical TDM Plan.)
3. As noted, the satellite lot at 5354 Claremont Avenue is at Clifton, not adjacent to the Rockridge BART station.

As noted, Claremont Avenue does not extend from downtown Oakland -- it begins in the Temescal area, above 51st Street.

(See Section II, Addenda to the Draft EIR, for revisions to p. 62 and p. 72 of the DEIR.)

4. Comment is noted; the comment does not address the content or adequacy of the DEIR; therefore, no response is necessary.

June 20, 1991

RECEIVED

Charles S. Bryant  
Oakland City Planning Commission  
Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612

JUN 26 1991

PLANNING COMMISSION  
ZONING DIVISION

Re: ER89-42, Proposed MIEC Building Addition

#### INTRODUCTION

This letter responds to the Draft EIR issued on May 31, 1991 about this property. We are homeowners on Auburn Ave south of Florio and on Florio, directly contiguous to the proposed expansion project.

We submit that the project's claimed benefit, the net addition of a small number of parking spaces, is dwarfed by its substantial negative effect on our residential community. Therefore, we respectfully request that the Design Review, zoning variance, conditional use permit and tree removal permit required to proceed with the project be denied.

Alternatively, if the project is to be approved, we request that several mitigating measures be required. These include measures minimizing noise from the construction and operation of the project, ensuring sufficient landscaping to counteract the aesthetic damage done by the proposed addition, and committing the owners of the property to refrain from further development.

The Draft EIR fails to address fully several of these mitigation issues.

#### THIS PROJECT SHOULD NOT BE APPROVED

This project is inconsistent with several applicable Policies of the Land Use Element of the Oakland Comprehensive Plan. For example, the Policies concerning development intensity provide that development in areas such as our neighborhood should "protect the character or livability of nearby residential areas ..." (page 58) The Policies also provide that "[c]ommercial areas should be developed and used in such a manner that they do not harm adjacent residential areas." (pages 58-59) ①

This project would significantly harm our residential neighborhood. In place of blue sky and vegetation, a four story parking garage/office building would loom over the neighborhood. Cars driving in and out of the four levels of parking would significantly increase the neighborhood's noise and light. This would be intensified by increased traffic on our neighborhood's ②



streets. The noise during the projected one-year construction period would be excruciating. Several families living close to the project have young children. One family directly contiguous to the project has a one-week old infant.

No benefit has been advanced to justify this great harm. First, there has been no showing that there is inadequate parking for MIEC employees. Second, the project would add only 31 new parking spaces. Furthermore, 18 employees would occupy the office space in the project. If 11 of those employees drive to work, only a net increase of 20 spaces would result. Can this be sufficient justification for severely damaging the quality of life in a lovely, tree-lined residential neighborhood filled with young children? We submit not. (3)

The conduct of the owners of the MIEC building and Blood Bank has caused us to conclude that this project would not be constructed and operated with fair consideration to the neighborhood. On Saturday, June 1, construction work on this property was started between 7:00 a.m. and 7:30 a.m without any warning. This work involved heavy equipment and resulted in very loud noise. The work continued all day Sunday June 2. Why could this work not have been done during the week? Why was there no notice given to us that this work was planned? (4)

In addition, one of this group asked a representative of MIEC for a copy of the project plans and for the opportunity to meet to discuss our concerns. The representative refused, although an MIEC representative did subsequently meet with and show the project plans to another member of this group.

This project would be very harmful to our residential neighborhood. It provides very little, if any benefit, to the City of Oakland. It is inconsistent with the Policies of the Land Use Element of the Oakland Comprehensive Plan. The approvals required to proceed with the project should not be granted. (5)

THE DRAFT EIR SHOULD ADDRESS ADDITIONAL  
NECESSARY MITIGATING MEASURES IF THE PROJECT IS ALLOWED  
TO PROCEED

We are very concerned that the operation of the project would be very noisy and disruptive. The draft EIR does not state whether the proposed three stories of parking facing down on our neighborhood would be closed off. If these floors were open, cars driving into and out of the parking structure would create a lot of noise and light which would severely affect our homes. The prospect of cars driving in this structure above our homes at 9:00 p.m. as our children attempt to sleep is particularly disturbing. (6)

Likewise, the draft EIR does not make clear whether the only auto access to the proposed parking structure would be from Claremont, or whether the garage gates would be on Claremont or whether they (7)

would be audible on Florio or Auburn.

In addition, the draft EIR does not state what vegetation would be kept and added to the southern boundary of the MIEC/Blood Bank property. Because the current open space between the MIEC and Blood Bank would be filled by a parking structure which is likely to be ugly, it is imperative that there be a lot of vegetation around and near the proposed building to preserve some semblance of a tolerable view. (8)

The draft EIR does note that the noise and disruption from construction will be so severe that a significant adverse effect cannot be avoided. The draft EIR does not specifically propose that construction be limited to designated hours, say weekdays 8:00 a.m. to 4:00 p.m. In light of our recent experience described above with early morning weekend construction, such a firm limitation is essential. (9)

Finally, the draft EIR does note that this project could "induce the redevelopment of existing moderate-intensity commercial sites with higher intensity commercial projects." This is quite accurate, yet the draft EIR fails to address adequately the necessary mitigation measures. (10)

Specifically, we are very fearful that the owners of this project will next try to develop other portions of the subject lot, particularly the portion facing onto Florio St. Such development would destroy the residential quality of our area. A neighborhood providing homes to families with children in an old charming part of Oakland would be ruined. Because this prospect is a very real one, we submit that the owners of the subject property should be required to agree as a condition for obtaining the required permits and approvals that they will not engage in such additional development. (11)

We respectfully request that these issues be addressed in the final EIR. Thank you for your consideration.

Michael Bergeisen and Laurie Stoneham, 6026 Auburn Ave, Oakland 94618, tel 658-8412 *Michael Bergeisen Laurie Stoneham*

Ray and Roseanne Perman, 6016 Auburn Ave, Oakland 94618, tel 658-0536 *Ray Perman Roseanne Perman*

Tim Hallahan and Ann Hansen, 6015 Auburn Ave, Oakland 94618, tel 420-8168 *Tim Hallahan Ann Hansen*

Manoche Movlari and Susan Varner, 6013 Auburn Ave, Oakland 94618, tel 420-8840 *Manoche Movlari Susan Varner*

Janet Walt, 6020 Auburn Ave, Oakland 94618, tel 655-6916 *Janet Walt*

Vincent and Sara Maniacci, 6312 Florio, Oakland 94618, tel 653-8485 *Vincent Maniacci Sara Maniacci*

Laurie Williams and Allan Zabel, 6005 Auburn Ave, Oakland 94618, tel 658-4586 *Laurie Williams Allan Zabel*

**RESPONSE TO LETTER VIII**

Michael Bergeisen et. al.

1. The DEIR discusses consistency with the Comprehensive Plan, including the policies cited on pp. 34-38. The comment refers to the merits of the project and does not comment on the content or adequacy of the DEIR; therefore, no response is necessary.
2. The Draft EIR discusses urban design, visual, and noise effects on pages 48 - 60 and pages 96 - 101 of the DEIR.
3. For an analysis of the parking needs and impacts of the project, see pages 78-80 and 83 of the Draft EIR. Since 1989, the City of Oakland has implemented a residential permit parking program in Rockridge, limiting all day parking available to non-residents. MIEC has found that this program has limited MIEC employee parking supply and has proposed this project with the objective of providing additional employee parking and office space.
4. See response to Comment 12 for Letter V. The construction work that took place on June 1 and 2, 1991, on the proposed project site, was for the relocation of telephone and computer lines running between the MIEC and Blood Bank buildings. The work was undertaken on a weekend in order to avoid disrupting MIEC and Blood Bank weekday operations.

According to the project sponsor, that work was required prior to implementation of the proposed project, but was not a part of the project. The sponsor has stated that the Auburn Avenue-Florio Street Residents Group was informed in advance of the work. The sponsor has indicated that it will continue to communicate with the Auburn-Florio group./1/

5. The DEIR discusses consistency with the Comprehensive Plan, including the policies cited on pp. 34-38. The comment states an opinion on the merits of the project and does not comment on the content or adequacy of the DEIR; therefore, no response is necessary.



6. Project noise impacts were assessed on a worst-case basis, and no significant noise impacts were expected at residences adjacent to the project site and noise impacts would not be significant at residential land uses farther south from the project site.

Ninety-six percent of MIEC employees work between the hours of 7:00 a.m. and 6:00 p.m./2/ Thus very few employees would be working during evening or nighttime hours cited as a concern in the comment. The nighttime noise level near the project, measured after 10:00 p.m., is approximately 46 dBA,  $L_{eq}$ , as noted on DEIR p. 94. Because there would be so few employees on site after 6:00 p.m., and because starting a car and exiting the garage would be expected to last two to three minutes, it is highly unlikely that enough employees would leave the garage during any hour at night (10:00 p.m. to 7:00 a.m.) to generate a perceptible increase in hourly (average) noise levels.

See also Response to Comment 13 for Letter V.

7. Automobile access to the proposed parking garage would be located on Claremont Avenue, as stated on DEIR p. 19, Project Characteristics. Noise from operation of the garage gates would not alter ambient noise levels on Florio or Auburn Streets. Nighttime entries and exits to the parking garage would be expected to be minimal, reducing the potential for noise disturbance from the gate operation.
8. Existing trees at the south side of the Blood Bank parking lot would remain and would shield the project from views from the south, as is the case with the existing MIEC and Blood Bank buildings. On DEIR page 52, paragraph two notes that "trees and shrubs could be removed from the project site prior to construction;" the site in this context is the building site itself. DEIR, p. 11 identifies planting of additional deciduous trees around the proposed building as a mitigation measure to reduce the visual effects of the project.
9. See response to Comment 12 for Letter V.
10. See response to Comment 2 for Letter V.

11. The project is considered the ultimate buildout of the site, because of current zoning that would limit further development of the MIEC-Blood Bank site. The project would be constructed entirely within the C-31 (Special Retail Commercial) zoning district, and would not extend into the adjacent R-35 (residential) zoning district. The project would use the lot area between the existing MIEC and Blood Bank buildings. Commercial development of the property facing Florio Street, zoned R-35 and currently used as a surface-level parking lot, would generally not be permitted.

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/1/ Craig, Tim, Operations Manager, MIEC, telephone conversation, January 26, 1992.

/2/ Zabierek, Peter, Korve Engineering, Inc., written communication, September 12, 1991.

miecgara.gel

Jane and Jack Brown  
6225 Ross Street  
Oakland, CA 94618

RECEIVED

JUL 12 1991

PLANNING COMMISSION  
ZONING DIVISION

July 10, 1991

Mr. Charles S. Bryant  
Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612

Re: Medical Insurance Exchange of California  
DEIR

Dear Mr. Bryant:

We are opposed to the construction of a five-level (34,190 square foot) garage/office structure adjacent and connected to the MIEC's existing building at 6250 Claremont Avenue for the following reasons:

- \* There is no real need for a garage of the proposed magnitude. A study by neighbors revealed that MIEC's employees do not use the MedChoice parking lot provided to them by MIEC management located just a few blocks away. Instead these employees occupy scarce parking spaces throughout our already congested neighborhood. MIEC management should simply encourage their employees to use the existing MedChoice facility, thereby freeing up parking spaces for those of us who live here. ①
- \* MIEC management should encourage its employees to ride share and use public transportation. The MIEC building is less than a block away from a stop for four local AC Transit buses. The building is just four blocks from the Rockridge BART station. ②
- \* The construction of the proposed 50-stall garage would entail the elimination of 35 much-needed-by-the-community on-street parking places on Claremont Avenue while creating 30 additional places on the existing lot where 20 cars are now parked. That would result in an net loss of five parking places for the combined use of the community and MIEC. This makes no sense either from the community's point of view or from the MIEC's perspective. The enormous cost to create fewer rather than more parking spaces should be seen by the MIEC itself as financially extravagant. ③
- \* Traffic is already congested at and near the six-point intersection of College and Claremont Avenues. The proposed use of the new structure as a garage would eliminate parking as well as aggravate an already serious traffic problem. Residents near 62nd and Hillegass Streets would also be adversely affected by ④

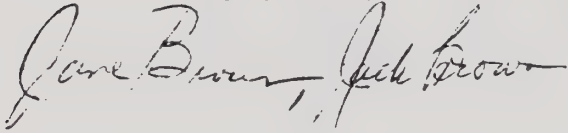


increased traffic on Claremont Avenue.

- \* The MIEC proposes to employ a circular garage design. This design, as was indicated in the Planning Commission meeting on June 26th, is non-functional because it takes four levels or about 20,000 square feet for only 50 parking places. (5)
- \* The proposed design will generate a great amount of noise and toxic fumes from auto emissions. Noise and fumes will have a negative impact on the value of adjacent homes and the neighborhood as a whole. (6)
- \* Nearby homeowners will also suffer from shadows cast from a forty-plus foot high wall. That will replace the current open-space sensation one feels upon viewing the site, giving the impression that the MIEC and Blood Bank, as well as the adjacent houses, are parts of an industrial complex. (7)
- \* The towering heights impression will be further exacerbated by the addition of parapets and mechanicals which may add another ten feet to the structure. The MIEC and Blood Bank buildings now partially block our own and many neighbors' views to the Bay and San Francisco. The proposed structure would further erode these views. (8)
- \* The combination of these negative factors would lead to a decrease in the value of our homes. Of course, that would have a depressing effect on our taxes, with an obvious negative impact on the City's and County's revenues. (9)
- \* Because of the already critical shortage of parking in this part of Rockridge, many car drivers who wish to shop on College and Claremont Avenues use the Safeway lot without patronizing that store. In the past, Safeway employed a guard to control non-patron parking. For the moment, that practice has been discontinued. It will surely be reinstated once the 35 on-street parking places are eliminated. (10)
- \* The top floor of the proposed building will provide space for 18 employees, six of whom would be new hires, while 12 would transfer in from the existing MIEC structure. Again, this appears to be treating the project as if it were part of a sub-urban light industrial or office complex with plenty of room to grow rather than a unit vital to the well-being of the MIEC and the urban tightly-spaced neighborhood in which it is embedded. (11)
- \* We fear that MIEC's next step will be the construction of another building/garage on Florio Street, resulting in the complete removal of residences from an entire block. A further result would be the elimination of the existing open space. (12)
- \* There is no precedent for large parking structures in Rockridge. Furthermore, it is a violation of the C-31 zoning which requires ground level retail. (13)

We hope that your staff will review the Draft EIR in the light of these and similar objections. We hope also that that review will result in a recommendation from your department to the Planning Commission to deny approval for this construction.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Jane Brown, Jack Brown". The signature is written in dark ink and is positioned above the printed names.

Jane and Jack Brown

**RESPONSE TO LETTER IX**

Jane and Jack Brown

1. As noted on DEIR p. 72, about 10 MIEC employees currently use the satellite parking lot on Claremont Avenue. There may be a number of reasons why MIEC employees choose not to use the satellite lot. The survey of employees (DEIR Appendix C) indicated, for example, that 41 percent of MIEC employees use their vehicles during the day. Personal safety may also be a concern. The Transportation Demand Management (TDM) Plan outlined on DEIR p. 83, and revised in Response 13 to this letter, would be expected to reduce the demand for MIEC employee parking.

The residential permit parking program has restricted all-day on-street parking options for MIEC. MIEC employees who park on posted streets would be subject to parking violation citations, which makes employee parking on these streets effectively impossible. Figure A-1 shows those streets designated as residential permit parking only. Refer to pp. 71-72 of the DEIR for a discussion of employee parking.

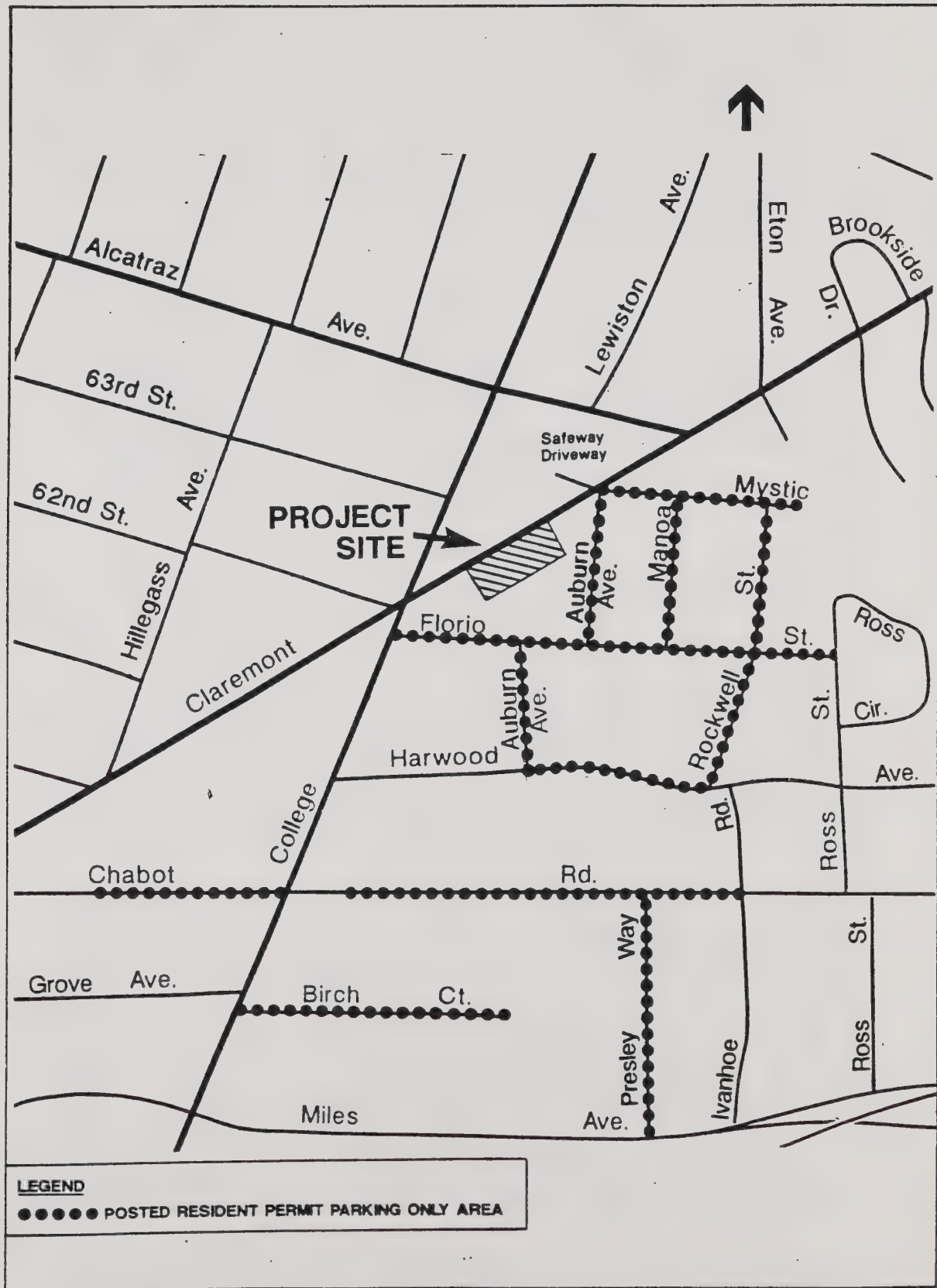
2. To further reduce the need for off-site parking facilities, a Transportation Demand Management (TDM) Plan has been identified as a mitigation measure on DEIR p. 83. A successfully designed program would reduce parking demand, and also reduce peak hour trips.

Of the 75 employees who work in the MIEC building, 28 drive company cars and use those cars throughout the day. The remaining employees who do not use company cars live in communities throughout the Bay Area; many of these communities are not easily accessible by BART. The TDM coordinator would work with those employees to enable them more conveniently to use public transportation.

The following replaces the first Mitigation Measure on DEIR p. 83: (This language is also included in Section II of this document, Addenda to the Draft EIR.)

- "• Implement a Transportation Demand Management plan. The suggested outline of a TDM Plan is presented below [on pp. 68-70 of this Comments and Responses document]."





SOURCE: Kolve Engineering, Inc.

MIEC Offices / 0045 ■

**Figure A-1**  
Residential Permit Parking Areas

Following Response 13 to this letter, is an outline of a TDM Plan, which would include hiring a professional transportation coordinator. Some of the measures may be minimized or eliminated, while others may be emphasized, depending on the observed success of each measure. This list of TDM concepts and associated programs would be useful in evaluating particular activities that MIEC can support in its own TDM Plan.

As stated on DEIR p. 72, about 7 percent of MIEC employees currently use transit to commute. As noted in DEIR Appendix C, 1 percent use bicycles, and 9 percent travel by car with other passenger(s), either as driver or passenger. About 83 percent currently drive to work alone. These percentages are comparable to survey results for the Rockridge area.<sup>1/</sup> The TDM Plan, if implemented, would be expected to decrease the percentage of employees driving alone.

The City could negotiate a goal for shifting a specified percentage of drive-alone commuters to other forms of travel (e.g., car- and vanpool, transit, walk, etc.). For example, the City of Walnut Creek currently has an ordinance requiring 25 percent of workers at large employers (100 or more employees) travel to work by means other than driving alone. In practice, about 15 percent of such employees are using so-called commute alternatives in Walnut Creek, roughly the same percentage as the existing MIEC and Blood Bank employees.<sup>2/</sup>

3. The comment refers to a mitigation measure to reconfigure the lane geometries at the Claremont/College intersection, described on DEIR p. 81 that would result in the elimination of about 35 parking spaces. It would be a measure to mitigate cumulative traffic increases, of which the project would contribute only a very small amount (less than one percent). These improvements would be necessary to maintain existing service levels at the intersection even without the new MIEC project traffic. Without the project, the 31 additional parking spaces would be lost if the measure were implemented, resulting in a net loss of 35, rather than four, parking spaces under cumulative conditions.

The TDM Plan outlined below would be expected to reduce project-generated traffic as well as parking demand. It has been added as an addendum to the DEIR as a mitigation measure. Should the City make street improvements to mitigate cumulative traffic impacts, the project sponsor would be required to pay a fair

share of the cost of those improvements, commensurate with the project's contribution to cumulative traffic levels.

4. As discussed on DEIR p. 73-79, the project would not have a significant effect on existing traffic conditions in the project area. The project would also not have a significant impact on cumulative traffic conditions in the area (see Table 10, p. 77 of the DEIR).
5. This comment does not address the content or adequacy of the Draft EIR; therefore no response is necessary. The project sponsor has indicated that alternative designs were considered and found unacceptable because they would not provide enough parking to meet project objectives./3/
6. For a further explanation of operational noise levels see pp. 99-100 of the DEIR, and response to Comment 13 for Letter V and response to Comment 6 for Letter VIII.

Air quality impacts of the project are discussed on pp. 88-92 of the DEIR. Concentrations of sulfur dioxide, nitrogen dioxide, and hydrocarbons are not a problem in the project area. Particulate concentrations, while a problem in the Bay Area, would not be significantly affected by project operations. Modeled one- and eight- hour carbon monoxide concentrations along residential streets in the project area are well below state and federal standards for that air pollutant. (See Draft EIR, pp. 90-91) Modeling criteria used in this carbon monoxide analysis were conservative; recently, the Bay Area Air Quality Management District revised worst-case modeling criteria, stating that earlier criteria (e.g., that which was used for this analysis) "result in additional overprediction of worst-case CO levels . . ." A revised CO analysis would yield worst-case carbon monoxide concentrations between 40% and 50% lower than those predicted in the DEIR. As stated on page 90 of the DEIR, project generated air pollutant emissions would have a less than significant impact on air quality.

7. Shadow impacts of the project are discussed on pp. 55-60 of the DEIR, including Figures 17-19, pp. 56-58. The project would shade the northeast corner of the residence at 6225 Auburn Avenue, adjacent to the existing MIEC building, during the late afternoon from approximately September through March. Project-generated shadow would also fall on the rear yard of that residence and the rear yard of the adjacent residence on the west side of Auburn Avenue in the



afternoon during the spring and fall. During winter afternoons, shadow from the existing Blood Bank building falls on the rear yards of those two residences and on the rear of the residence at 6225 Auburn Avenue. Project-generated shadow would add to that shading. In mid- to late-afternoon in the late fall and early winter, the entire rear yard of the residence at 6225 Auburn Avenue would be covered by shadow from the existing Blood Bank and the project.

The project would fill in the surface parking lot between the existing MIEC and Blood Bank buildings and would present an unbroken building wall in views from the rear, including from Auburn Avenue, as described on DEIR, p. 48 (see Figure 15, p. 51 of the DEIR).

8. The project would be similar in parapet height to the existing MIEC building and about seven feet shorter than the existing Blood Bank building (see Figures 13 and 14, pp. 49 and 50 of the DEIR). In overall height, the project would be about 6 feet shorter than the mechanical penthouse on the existing MIEC building (see Figure 6, p. 23 of the DEIR).

The existing MIEC and Blood Bank buildings currently block views to the west from some streets and residences about two to three blocks east of the project where the elevation is such that a line of sight to the west is interrupted by the two existing buildings. From the intersection of Florio and Rockwell Streets, the top of the MIEC and Blood Bank buildings are visible through the trees surrounding the buildings. West and south of this point, the elevation descends and existing trees and buildings block street-level views of the two existing buildings. The MIEC and Blood Bank buildings are visible between residences on the 6200 block of Rockwell Street, and probably block some views to the west from upper stories of residences on this block, whose second stories are approximately at the elevation of the cornice line of the two buildings. Similarly, as noted by the commenter, the existing buildings block views to the west from residences on the 6200 block of Ross Street, one block east of Rockwell Street. The existing buildings may also block upper-story views from residences on Florio Street between Rockwell and Ross Streets. Farther east, the elevation rises sufficiently so that, from the front porch of a residence on Ross Circle, just east of Ross Street, the tops of the two existing buildings do not block views of San Francisco Bay.

#### IV. Written Comments and Responses

The project would use existing mechanical facilities in the existing MIEC building and would not have a mechanical penthouse, and would not have vent stacks other than small plumbing vents. Because the project would not be taller than either the existing MIEC or Blood Bank buildings, it would not increase the view blockage from points to the east.

9. This comment does not address the content or adequacy of the Draft EIR. While the commenter's concern about property value is noted, CEQA Guidelines do not require discussion of economic issues (CEQA Guidelines Section 15131). The project sponsor has indicated that alternative designs were considered and found unacceptable because they would not provide enough parking to meet project objectives./3/
10. See response to Comment 3 above.
11. See response to Comment 4 for Letter V.
12. See response to Comment 2 for Letter V.
13. See response to Comment 1 for Letter V.

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/1/ City of Oakland, Dreyer's Grand Ice Cream Project DEIR, March 13, 1989.

/2/ Grant, Joanna, TDM Coordinator, City of Walnut Creek, telephone conversation, February 14, 1992.

/3/ Craig, Tim, Operations Manager, MIEC, telephone conversation, January 26, 1992.

## TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN

[accompanies Response 2]

### A. INTRODUCTION

The most important component of any TDM Plan is the appointment of an on-site professional employee transportation coordinator. This person would be responsible for the dissemination of information, organization of services, and reviewing any site design elements which may affect travel habits (e.g. establishment of preferential carpool/vanpool parking).

### B. TDM CONCEPTS AND RELATED PROGRAM OPTIONS

#### 1. Shift Solo Drivers to High Occupancy Vehicle (HOV) Modes

The goal of this first concept is to promote commuting in vehicles where at least two commuters travel together. Carpooling, vanpooling, and use of bus and BART transit modes are key HOV features. To accomplish a shift from solo driving to HOV modes, the following program options have been found to be successful:

#### Carpooling

- **Preferential Parking for Carpools.**
- **Ridesharing Matching Service.** This option provides direct assistance with carpool formation by providing a "match list" to individual employees which contains names and phone numbers of other employees who live in the same area.
- **Guaranteed Ride Home Policy.** This program is designed to provide peace of mind for employees who worry that participating in a carpool or vanpool program would mean that they would have difficulty getting home in case of an emergency or unexpected overtime. Companies can provide taxi vouchers or company cars to transport employees who are unable to return home with their carpool. Companies that have instituted this program have found it surprisingly inexpensive, as employees rarely have to make use of the program.
- **Company Commitment to the Program.** In practice, employees may worry that meetings or other work responsibilities may leave them the flexibility to leave with their carpool or vanpool. Company policies which promote employee participation and state a commitment to recognizing carpool and vanpool schedules, as well as management participation in the program, have been shown to contribute to the acceptability of HOV modes.
- **Provision of Company Motor Pool.** If employees must use a vehicle during the day for work or personal use, an on-site company vehicle pool could provide vehicles for that purpose and allow employees to use alternatives to single-occupancy vehicles for commuting to and from work.



## IV. Written Comments and Responses

### Vanpooling

All of the program options listed above also apply to vanpooling. Some of the specific vanpooling provisions include:

- design of parking areas to accommodate vans,
- use of a larger database for trip matches (Bay Area Rides supplies such a list), and
- providing direct subsidies to vanpoolers.

### Bus/Rail Transit

Program options which promote use of bus, light rail, and commuter rail transit include:

- **Provision of Bus and Rail Transit Information.** The employee transportation coordinator would be responsible for providing bus and rail transit information regarding schedules, routes, shuttle stop information, and park and ride sites, as applicable.
- **Personalized Bus/Rail Route Matching.** The employee transportation coordinator can work with local bus companies and rail operators to choose routes and schedules for individual employees. This program would be particularly viable for MIEC, since its employee base is fairly small.
- **Free or Partially Subsidized Bus/Rail Passes.** Often employers offer their employees fully or partially subsidized rail or bus passes. Subsidy programs can be tied to an overall transportation subsidy, where employees can choose which mode to use.
- **Use of Shuttle to Make Connections to Rockridge BART.** The Rockridge BART station is located approximately 1,600 feet from MIEC. A company-owned shuttle may make pick-ups and drop-offs at AM and PM peak hours, since this distance may be considered too long to walk for some employees.
- **Provision of a company vehicle pool, as noted under "Carpooling,"** could make public transportation more feasible for employees.

### 2. Shift Solo Drivers to Non-Motorized Modes

This concept promotes commuting with bicycling and walking modes. Generally bicycling is more popular with employees within two or three miles maximum distance from the worksite. Walking may be popular, up to a maximum of a mile and a half radius surrounding the site. To accomplish a shift from solo driving to non-motorized modes, the following program options have proven effective:

### Bicycling

- **Locker and Shower Facilities for Bicyclists.** Although this may be financially infeasible for MIEC, this is one of the key elements of encouraging bicycle use. Most bicyclists need showers after their ride

and a place to store clean clothes. This also may be accomplished by working out an agreement with an area health club, so that these services may be provided.

- **Secure Bicycle Parking.** Bicycle parking must be provided close to building entrances and far from on-street pedestrian pathways. Ideally, the area would be monitored by a security guard or camera.
- **Bicycling Promotional Campaign.** The employee transportation coordinator can hold special raffles and promotions for bicycle commuters, often in conjunction with local businesses.
- **Development and Promotion of Bike Routes.** The coordinator may work with bicycle commuter organizations, such as the East Bay Bicycle Coalition.
- **Employee Transportation Subsidy.** Unlike transit users, there are ordinarily no fees associated with bicycling or walking. Subsidies would in effect be bonuses for travel-conscious employees.

### Walking

Programs that promote commuting on foot include:

- **Attractive Pedestrian Environment.** Direct, well-lit pathways to building entrances and exits encourages pedestrian activity.
- **Use of Showers and Lockers.**
- **Walking Promotional Campaign.**
- **Employee Transportation Subsidy.**
- **Provision of a company vehicle pool, as noted under "Carpooling",** could allow more employees to use bicycles or to walk.

### 3. Shift Drivers to Non-Peak Hour Commuting Schedules (Flex-Time)

This concept involves shifting solo drivers, and even drivers who use HOV modes, out of peak commuting hours. This is commonly accomplished through the use of "flexible working hours," also known as "flex-time." It should be noted that this measure would alleviate some peak hour traffic, but would do little to improve the parking situation.

### 4. Reduce the Need to Commute to MIEC

There are two main strategies which are commonly employed to reduce the need to travel to the worksite: compressed work weeks and telecommuting. Compressed work weeks are a variation on flexible work hours, where employees work longer days in order to earn a day off every one or two weeks. Telecommuting is the accomplishment of work tasks at home or at some other off-site location, which would preclude travel to the office. Contact with the office may be maintained through use of the telephone, a computer modem, or facsimile machine.

July 15, 1991

Charles Bryant  
Oakland Planning Department  
1330 Broadway, Suite 310  
Oakland CA 94612

re: MIEC EIR  
ER 89-42 (CMD 89-317)

Dear Mr. Bryant

The visual design approach used by the Architects for the proposed MIEC office/garage addition, while laudable in many situations, is devastating in the case of this project. The approach taken is to blend the new building with the existing by the use of similar design elements (horizontal lines, simplified facade planes, rectilinear shapes), the same materials and colors, similar windows and is approximately the same height. In addition all three buildings are physically connected. The result of this strategy is to create the effect of one enormous building 480 feet long, twice the length of the Dreyer's building on College Avenue. ①

The existing buildings are already an aberration relative to the scale of the surroundings - the new building will make the entire development seem preposterous in relation to this neighborhood. The EIR does not discuss this at all, yet the impact is obviously enormous. ②

An alternative proposal worth addressing in the EIR is to build one below grade floor utilizing the existing ramp entrance and one at grade level for the balance of the spaces, which would yield about the same number of net spaces as proposed. Coupled with this would be conversion of existing ground floor retail space to office use. The applicant complains that retail in their building is hard to lease. This may be true, but the design is not conducive to retail use and their current proposal would further isolate the space from the rest of College Avenue. Basically they have not supported the zoning idea with their actions and have killed this area for retail use, so conversion of the existing space is not unrealistic. ③



In the absence of any real traffic management plan, the entire issue of making such a huge impact on the community for so little gain in parking space seems misguided at best and very destructive at worst. The EIR could better address this issue.

Sincerely,

William R. Dutcher

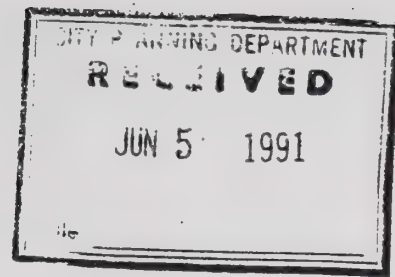
cc: RCPC

**RESPONSE TO LETTER X**

William R. Dutcher

1. See response to Comment 5 for Letter V.
2. See response to Comment 5 for Letter V.
3. The impacts associated with constructing only one level of underground parking and converting existing MIEC retail space into office use would be similar to the impacts associated with the reduced magnitude alternative described on pp. 121-122 of the DEIR. Converting the retail space in the existing MIEC building to office use would not be feasible because the space would be too small to satisfy MIEC's office needs. See response 4 to Letter XII for an additional alternative involving underground parking.
4. The Transportation Demand Management (TDM) plan identified as mitigation on DEIR p. 83 is intended to reduce parking demand, and would, if successfully implemented, reduce trip generation as well. See response to Comment 2 for Letter IX.

May 31, 1991



Mr. Stan Muraoka  
CITY OF OAKLAND  
PLANNING DEPARTMENT  
475 14th Street, 2nd Floor  
Oakland, California 94612

RE: M.I.E.C. E.I.R.

Dear Mr. Muraoka:

I have just received a copy of the M.I.E.C. E.I.R. sent by you. Thank you for providing me with a copy of this report.

I am a Rockridge resident. I am also the managing partner of the building at 5940 College Avenue and 5433 College Avenue. I do not know under what circumstances you sent the report to me, but due to my interest and involvement in the neighborhood, I have an interest in what is going on in the area.

After reviewing the project and the E.I.R., I feel, that the four levels of parking are necessary and should not be cut out of the project as a mitigation measure. The alternative transportation plans are not realistic. ①

Thank you again for the copy of the E.I.R.

Sincerely,

Patrick Ellwood

d:\ecre\muraoka.eir

**ELLWOOD COMMERCIAL REAL ESTATE**

1345 GRAND AVENUE PIEDMONT, CALIFORNIA 94610

415-658-7918



**RESPONSE TO LETTER XI**

Patrick Ellwood

1. This letter does not address the content or adequacy of the DEIR; therefore no response is necessary.

RECEIVED

Robert A. Firehock  
347 63rd Street  
Oakland, CA 94618

JUL 15 1991

PLANNING COMMISSION  
ZONING DIVISION

July 15, 1991

Oakland City Planning Commission  
Attn: Charles S. Bryant, Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612

Re: File No. ER89-42  
Draft EIR - Medical Insurance Exchange  
Conditional Use Permit

Dear Commission:

As you are aware, a number of neighbors west of College Avenue became concerned with this project because one of the possible mitigation measures discussed in the draft EIR was turning 62nd Street into a one-way street west from the College/Claremont/62nd/Florio intersection. What is clear from that suggestion is that there was little if any neighborhood oriented urban design sensitivity lurking in the EIR. To make that street one way would so redirect neighborhood traffic, and living, patterns, that it would threaten the fabric of that several block area. Even as a minor suggestion, it cries out demanding a thorough second guessing of the EIR--can a 1.6 second traffic phase savings pass the laugh test? What is clear from the draft EIR is that there may not have been much study either leading to the conclusions--for example, Florio Street is shown as coming into College south of the intersection. I've lived in this neighborhood for 13 years; Florio is part of that intersection, not south of it. This speaks to the insufficiency of the EIR on its face.

What has become apparent is that this project is fatally flawed. It would create an urban monolith in a neighborhood of a vastly different scale and feel. The draft EIR overlooks the one alternative that leaps out at anyone who tries to understand MEIC's motivation for this project: if they need a little more office space and some more parking (the later a questionable assumption but posited for the sake of analysis), the use permit should be to convert the first floor of 'retail which doesn't work' (but which is rented currently) into office space and build an underground level of parking on their entire open lot. It is disingenuous of them to suggest that there are two entities there (the Blood Bank and MEIC--both owned by the same parent) who couldn't cooperate to achieve that result. This would preserve

the open space and the present break in the street facade, add office space and increase parking.

My last comment is that the entire concept of a major undertaking almost solely to provide additional parking for an existing project three blocks from BART is one that should be rejected. The draft EIR was woefully inadequate in addressing the idea of encouraging driving to the detriment of public transportation. It is one thing to want parking in areas where rail or bus service is inadequate, but there is no showing here that public transportation fails to satisfy the project's transportation needs. If cars didn't pollute and roads weren't crowded and natural resources were limitless, maybe we could all drive to work. However, that isn't the case. The entire web of environmental review and enforcement, from CEQA to the Clean Air Act, is woven to snare misconceived projects before they exacerbate our public policy problems. This project needs to be caught.

5

Thank you for your kind attention and consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert A. Firehock". The signature is fluid and cursive, with the first name "Robert" being more prominent and the last name "Firehock" written in a more compact, connected style.

Robert A. Firehock



## RESPONSE TO LETTER XII

Robert A. Firehock

1. See responses to Comment 11 for Letter V and Comment 2 for Letter VI.
2. For purposes of analysis, Florio Street is considered part of the six-legged intersection. Since it is a one-way street heading away from the intersection, it does not contribute to vehicle approach delay, and therefore does not directly affect level of service calculations.

The fact that Florio Street is shown on the graphic as slightly to the south of the intersection does not affect the traffic analysis nor on directional counts made at the intersection. The graphic was developed from an existing base map of the area, and is presented for informational purposes only.

3. See response to Comment 5 for Letter V.
4. Building a larger underground structure with more parking spaces would not be permitted under the current zoning because it would intrude into the adjacent R-35 Zone. Such an underground parking structure could be constructed if the sponsor were to obtain either a Major Variance or Zoning Change. The following is a discussion of such an alternative, which would include one story of office space above a garage entry and exit. This is included to allow for a connection between the alternative building and the two existing buildings. Conversion of the existing retail space to office is not proposed because the space would not meet MIEC office needs, and to avoid displacing tenants.

The following is added after the discussion of NO OFFICE SPACE ALTERNATIVE on p. 123 of the DEIR: (This language is included in Section II of this document, Addenda to the Draft EIR.)

### "E. UNDERGROUND PARKING ALTERNATIVE

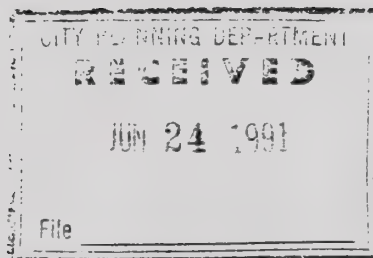
"The Underground Parking Alternative would consist of a two-story building on the project site and one level of parking constructed beneath all or a portion of the existing surface-level MIEC / Blood Bank parking lot. The two-story structure would include one story of office space above an entry-exit level for the underground garage. The building would

#### IV. Written Comments and Responses

accommodate approximately the same amount of office space as that proposed for the fourth (office) level of the project building, and would allow for connections with the adjacent existing MIEC and Blood Bank buildings. The underground parking structure could accommodate up to about 85 cars if it were constructed beneath the entire surface parking lot. This alternative would include a Transportation Demand Management (TDM) plan to reduce trip generation and parking demand. This alternative would not be permitted under the existing zoning because the garage would intrude into the adjacent R-35 zoning district; a Major Variance or Zoning Change would have to be granted by the Oakland Planning Commission.

"If the underground lot were constructed to accommodate about 31 cars, transportation and operational air quality impacts of this alternative would be the same as those of the project. If more cars were to be accommodated, the parking deficit for the MIEC and Blood Bank buildings would be reduced. Additional parking could cause more employees to drive to work; if this were the case, trip generation would increase, and operational air quality would be worsened. Construction air quality impacts would be greater due to increased excavation. Operational noise impacts would be diminished because most on-site traffic would be underground. Exhaust fan(s) would be required for ventilation of the garage, but would not be audible outside the garage; the net result would be less noise, compared to the project. Construction time would likely be greater, and construction noise would therefore occur over a longer period of time. Biological impacts would be greater due to excavation that would require the removal of many, or all on-site trees and shrubs; this impact could be mitigated by replanting. Visual and shadow impacts would be less than under the project because of the smaller building; the temporary loss of vegetation could be significant if most or all on-site trees were removed. Other impacts would be similar to those under the project."

5. See response to Comment 2 for Letter IX.



330 62nd Street  
Oakland, CA 94618  
653-7188

June 21, 1991

Charles S. Bryant  
Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612

Dear Mr. Bryant:

We are writing to respond to the draft EIR for the Medical Insurance Exchange of California Office Building Expansion (File No. ER89-42). Unfortunately, due to prior commitments, we will not be able to attend the public hearing on June 26. However, we request that these comments be added to the public record. Our concerns about the MIEC proposal and related changes suggested in the draft EIR are presented below.

This neighborhood is primarily a residential and secondly, a retail shopping area. It does not have the necessary support services to support an ever increasing number of office buildings. The continuing increase of office buildings in this area goes against the grain of the Rockridge Area Community Plan. Certainly, the mere fact that a major conditional use permit is being asked for indicates that this project is out of scale. Why aren't alternatives for the space which would not require a conditional use permit being explored more seriously? If it is the intent of the City to add office buildings to this area, we believe it is your duty to develop a new master plan in conjunction with local residents and businesses. ①

Regarding parking, a local concern for all, this proposal and mitigative measures does nothing to increase parking. The number of parking spaces will remain approximately the same; however, some 35 spaces will now be private spaces and not available to the public. Are there no alternatives which would at least keep the number of parking spaces the same, let alone increase them accordingly? Many local residents (some elderly) and their personal guests cannot find parking close to their homes and are forced to park an unreasonable and potentially unsafe distance from their homes. Several months ago, one of our neighbors was attacked by an assailant with a crow bar as she walked to her car which she had had to park in a dimly lit area of our street away from her home. ②

Our greatest concerns however, are the proposed plans to mitigate traffic from the proposed development and cumulative development in the area. We understand (all too well) the problems cumulative development will have on the College/Claremont intersection. We agree that steps should be taken to relieve congestion at this intersection; however whatever steps are taken should also be chosen so as to improve pedestrian safety and to minimize traffic on surrounding residential streets. We do not find any mitigative measures in the draft EIR which address these two points. Why were they ignored? ③

One proposed mitigative traffic measure which we are extremely concerned about is the proposal to change 62nd Street into a one-way (westbound only) street between College and Hillegass. While it is suggested that this will decrease traffic congestion ④



(insignificantly) at the College/Claremont intersection, it will create a whole host of other problems. All residents of 62nd street (approximately 65 dwelling units) will have to exit via Hillegass. All users of the Bank of America parking lot (and there are plenty of non bank customers), which empties onto 62nd Street, will also have to exit via Hillegass. Residents returning to this block of 62nd Street would then all have to enter the block via the College/Claremont intersection; we can tell you from years of personal experience that this is an extremely inefficient suggestion and a major sacrifice to ask of the local residents. Thus, this proposal to relieve traffic congestion would also increase traffic in the surrounding blocks. Aren't there other means to accomplish this same objective? Why not only allow right turns onto Claremont from 62nd street; this could happen at the same time as one set of left turn only signals? Why not keep 62nd Street two way but construct a half cul-de-sac so that traffic can still leave the College/Claremont intersection and move west on 62nd street but that eastbound traffic on 62nd Street would not be permitted into the intersection? Why not install a full cul-de-sac on 62nd Street at the College/Claremont intersection so that traffic can move both eastbound and westbound on 62nd but must enter and exit from Hillegass? A cul-de-sac could include a small park, one thing the whole Rockridge area lacks.


Regarding traffic congestion at the College/Claremont intersection, anyone who lives or works in the area can tell you that much of the congestion is due to cars turning left from College into the BofA parking lot, the Safeway lot, the Union 76 station, or 63rd Street. Why aren't "No Left Turns" off of College into these lots being considered? Even right turns off of College into these lots/streets slow down traffic as drivers navigate across sidewalks filled with pedestrians. Wouldn't giving up a parking space or two for short right turn lanes help to alleviate this problem? Why wasn't this considered?

5

We look forward to receiving a response on the above questions and talking with you further on the subject. I hope the City will be able to work with local residents to reduce traffic congestion on major thoroughfares like College and Claremont yet keep it off of residential streets like 62nd and Hillegass.

Sincerely,

  
Dariush Arasteh

  
Nancy Hendrickson

cc: Stanley Muroaka, City of Oakland Planning Department  
Hillegass Area Residents Association  
Rockridge Community Planning Council

**RESPONSE TO LETTER XIII**

Dariush Arasteh and Nancy Hendrickson

1. Surrounding land uses are described in the DEIR on p. 26. The DEIR indicates, on pp. 112-114, that the project would not have a significant effect on public services or utilities. The Rockridge Area Community Plan is currently being formulated; thus, the project cannot be evaluated in the context of that plan. However, the scale of the project is discussed on p. 55 of the DEIR, where it is stated, "the project scale and design would be inconsistent with the scale and design of the surrounding single-family residences. However, the project scale and design would be consistent with the existing MIEC and Blood Bank buildings. Zoning impacts are discussed in the DEIR on pp. 34-39. A Major Conditional Use Permit would be required for non-retail ground-floor use, and for ground-level off-street parking. Retail use would not meet project objectives. A new Alternative E (see response to Comment 4 for Letter XII, pp. 78-79 of this document) would not include ground-floor parking.
2. See response to Comment 3 for Letter IX.
3. The safety of pedestrian crossings at the Claremont/College intersection depends on the operation and design of the pedestrian crossing signals, and the individual behavior of drivers and pedestrians. Pedestrian safety would not necessarily be enhanced with a reduction in traffic, nor would it necessarily worsen when more traffic were added to the intersection. Vehicles still must stop to allow pedestrians to cross during appropriate phases, and Caltrans standards dictate minimum crossing times at signals for pedestrians that would remain in effect for any traffic levels.

The project would add little or no traffic to surrounding residential streets, as discussed on pp. 73-76 of the DEIR.

4. There are three alternative measures suggested by the commenter for the mitigation of cumulative-plus-project impacts to the Claremont / College intersection. They are:

- Allow only right turns onto Claremont Avenue from 62nd Street. This would alleviate intersection delays due to cumulative-plus-project traffic conditions. However, it could create a safety problem if violations were to occur.
- Construct a partial cul-de-sac in the eastbound lane of 62nd Street at the 62nd Street / College Avenue intersection. This would alleviate delays due to eastbound traffic on 62nd Street entering the intersection, allowing for the elimination of the signal phase for the eastbound 62nd Street approach to this intersection, as would the proposed conversion of 62nd Street to one-way westbound traffic. With this measure, traffic could travel eastbound on 62nd Street from Hillegass Avenue but could not enter the 62nd / College / Claremont intersection. As with the proposed one-way conversion, all traffic from businesses and residences on 62nd Street would leave the neighborhood via westbound 62nd Street.
- Install a full cul-de-sac on 62nd Street at the 62nd / College / Claremont intersection. This measure would also alleviate traffic delays by eliminating the signal phase for the 62nd Street approach to this intersection. All residential and commercial traffic would have to enter and leave 62nd Street from Hillegass Avenue.

Each of the above measures would incrementally reduce cumulative-plus-project traffic delays at the Claremont / College intersection. None would be substantially more effective at reducing traffic delays than the proposed conversion of 62nd Street to one-way traffic. One or more measure(s), including conversion of 62nd Street to one-way operation, could be adopted by the City as a discretionary action.

5. Traffic on College Avenue is slowed by both right and left-turning vehicles. Northbound traffic must slow down to wait for right-turning Safeway patrons and other vehicles to wait for pedestrians to cross. Prohibiting turns into commercial establishments would not directly affect intersection LOS. There could be an indirect effect on the intersection by such a prohibition at establishments immediately adjacent to the intersection. This measure could be adopted at the discretion of the City, but would not directly mitigate project impacts. The effects of closing off access driveways, removing parking spaces for right-turn access lanes, or southbound College Avenue left-turn access to existing uses would likely outweigh the time savings that would be gained. Drivers may have to travel more circuitous routes to avoid no-left turn restrictions which may involve further congestion of the area. The Bank of America, Safeway, or the Union 76 station would be likely to object to reducing access to their businesses.



Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland CA 94612

ATTENTION: Charles S. Bryant

Dear Mr. Bryant:

RE: Medical Insurance Exchange of CA DEIR

I urge the Planning Commission to deny MIEC's changing their present structures or adding anything. (1)

If that is not possible, all consideration should be stopped until the area study for Rockridge is complete.

The EIR is so inadequate, it is even laughable in spots. Try telling people on my block that parking spaces are only 2/3 filled between 2:00 and 3:00 P.M.! (2)

I counted, June 27: The block was completely filled at 2:00. In the hour, only 5 cars left and the spaces were quickly taken.

Dear Planning Commission, please PLAN! The Rockridge neighborhood represents good income for the City of Oakland. Its quality of business--as well as life--is being eaten away piecemeal:

Freeway construction; BART; Yoshi's; Dwyer's; the Clock Building (that's Berkeley, of course).

The MIEC project is really strange. As one of your members pointed out at the hearing--\$3,000,000 for 31 parking spaces???

If office spaces are needed, why don't they take over their rental units (and their parking spaces)?

Do the 5,000 members of MIEC know about the \$300,000 (each) parking spaces and what so they think?

Or is some other plan back of this? Another slice of the salami?

One of our neighbors observed people coming to work, one morning: Very few cars had more than one person. MEIC's efforts at ride-sharing aren't effective. (4)

MEIC could more effectively buy the MedicChoice lot and beef up its shuttle service. Is the Post Office offering more than \$3,000,000 for that?

Thank you for your consideration.

Sincerely yours

*Helen C. Kidder*

Helen C. Kidder

Resident and owner

RECEIVED

JUL 16 1991

PLANNING COMMISSION  
ZONING DIVISION

**RESPONSE TO LETTER XIV**

Helen C. Kidder

1. This comment does not address the content or adequacy of the Draft EIR; therefore no response is necessary.
2. The parking inventory was conducted on a representative mid-week day, as described on p. 68 of the DEIR, and found to be 67% on both the north and south sides of 62nd Street. A second occupancy survey was conducted on this street, and the results were higher, near 90%. As there are daily fluctuations in traffic volumes, there are variations in parking occupancy as well. The difference of 20-25% is noteworthy, but is not inconsistent with daily variations.

Spot checks of parking on other surveyed streets showed results generally consistent with those in the DEIR. The variation in parking occupancy would not affect the conclusions or recommendations of the DEIR. That is, the analysis assumed that on-street all-day parking was not available for MIEC parking demand. As noted in the DEIR, the project would add to off-street parking serving the MIEC uses.

3. The following is added as a new third paragraph under NO PROJECT ALTERNATIVE on p. 121 of the DEIR: (This language is included in Section II of this document, Addenda to the Draft EIR.)

"Similar to the 'No-Office Space Alternative' evaluated below, if the project were not to be built, MIEC could rent the additional office space and parking it needs in the project vicinity. The impacts of the six new employees associated with the project would not occur at the project site but would occur in the project vicinity."

CEQA Guidelines do not require discussion of economic issues (CEQA Guidelines Section 15131).

4. See response to Comment 2 for Letter IX.

340 62nd Street  
Oakland, CA 94618  
July 11, 1991

File ER88-42

To: Oakland City Planning Department  
One City Hall Plaza  
Oakland, Ca 94612

Re: Draft EIR for:  
Medical Insurance Exchange of California  
Office Building Expansion Project

Dear Sirs,

I have lived in Rockridge for over 15 years, and I write in opposition to the above referenced proposed project.

I refer to Table 1, pages 36 thru 38 of the Draft EIR Report.

Is the Project Compatible with its surrounding? No. This building will consist of essentially "dead space". A parking lot is a parking lot no matter how much it is dressed up and expensive to build. On evenings and weekends this space will stand dead and empty. It will provide no contribution to the neighborhood whatever. Its only purpose is to provide parking facilities to a business which has no connection with the neighborhood. ①

Does it harmonize and enhance its surroundings? No. The draft EIR interprets "surroundings" as confined to the buildings on each side of the proposed project, which in turn are owned by MIEC or its parent corporation. The proposed project will complete a continuous hulking mass as big as a battleship in proportion to the neighborhood. This plastic nonentity of a building will blend in with downtown Concord, but not with Rockridge. ②

Will it Protect the area's Desired Character? Absolutely not. The Rockridge Area is essentially a well knit community with residential use balanced and complemented by retail use. Rockridge is now one of the best known shopping areas in the Bay Area, and brings much outside business to Oakland. People come to shop in Rockridge from throughout the Bay Area because of its central location, the laid back atmosphere, and to get away from the Shopping Mall atmosphere, so prevalent nowadays. The proposed project is compatible with a Shopping Mall, but certainly not with Rockridge. ③

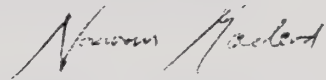
The City Council has already allowed Dreyer's to build its headquarters in Rockridge. Another such plastic suburban type hulk



in our midst will further destroy Rockridge, and this will be a loss to all of Oakland.

Thank you for considering the above points.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Norman Macleod".

Norman Macleod

NM:sr

**RESPONSE TO LETTER XV**

Norman Macleod

1. This comment does not address the content or adequacy of the Draft EIR. For an analysis of the project's conformance with applicable land use policies and zoning, see pp. 33-39 of the Land Use, Plans and Policies, and Zoning section of the Draft EIR.
2. See response to Comment 5 for Letter V.
3. See response to Comment 1 above.

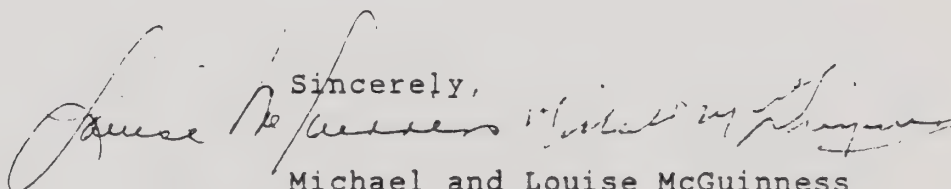
ER 39-42

Charles S. Bryant  
Environmental Review Coordinator  
Oakland Planning Department  
One City Hall Plaza  
Oakland, CA 94612

Dear Mr. Bryant,

The proposal that 62nd Street be made one way between College Avenue and Hillegass demonstrates a lack of understanding about the neighborhood it would disrupt. This neighborhood of homes with children, of people who walk for pleasure in the quiet streets enjoying the gardens, is beset enough with overflow traffic from College Avenue. A one-way street inviting traffic, inviting cars who want to go faster than they could on College Avenue contradicts the whole idea of the neighborhood it would disrupt. Neighborhoods like ours are a big plus for Oakland, offering a sense of community within a large urban area. Oakland is working hard to attract new business to help the city's economy. It is counterproductive for it at the same time to destroy an attraction such as our neighborhood. It's not only a matter of a few blocks of one-way street, it's also a matter of mindset. We hope the Planning Department sees a neighborhood like ours as an asset to preserve.

Sincerely,



Michael and Louise McGuinness  
421 62nd Street  
Oakland, CA 94609

July 11, 1991



**RESPONSE TO LETTER XVI**

Michael and Louise McGuinness

1. See responses to Comment 11 for Letter V and Comment 2 for Letter VI.

July 14, 1991

Oakland Planning Commission  
 City Planning Department  
 1330 Broadway, Rm. 310  
 Oakland, CA. 94612

Dear Commissioners:

As residents of 6215 Auburn Ave., we wish to express our opposition to the proposed parking/office structure (Medical Insurance Exchange of California, 6250 Claremont Ave., ER-89-42). We live immediately behind the planned project and would be directly impacted by the construction.

We were part of a group of neighbors who met in good faith with MIEC representatives several months ago to negotiate certain design changes. We appreciated their efforts to revise the proposal to reduce noise and sight impacts.

Nonetheless, after reading the preliminary Environmental Impact Report and attending the June 26 public hearing on the proposal, we believe that MIEC has failed to justify the massive construction, which is out of character with the surrounding neighborhood. Among the findings:

\*\*Parking in the existing MIEC/Blood Bank lot is only 76 percent occupied during the peak 2 p.m. hour. (1)

\*\*Only half of the 20 off-site parking spaces reserved by MIEC for its employees near the Rockridge BART station are used on a daily basis. (2)

\*\*MIEC officials testified that they have no program in place to encourage workers to take advantage of the plentiful mass transit in the area, including BART and AC-Transit. (MIEC's own worker survey showed that only about 7 percent of the employees presently rely on public transit.) (3)

Despite such findings, MIEC acknowledged that it plans to spend some \$3 million for the net addition of 33 parking spaces, plus offices to house an extra six employees.

Your own conclusion after reviewing the proposal was that MIEC must have additional expansion plans in mind to make such a financial commitment, while MIEC officials decline to spell out any future development plans for the site, we are convinced that they intend to continue building on the property on a piecemeal basis. (4)

Therefore, should you decide to approve the office/warehouse complex, we respectfully ask that you assert your legal authority to protect the neighbors from undue expansion by guaranteeing that the remainder of the site will keep its current P-35 designation in perpetuity.

Sincerely,

*Andrea Ross*  
 Andrea Ross  
 Lisa Bagatori

**RESPONSE TO LETTER XVII**

Andrew Ross and Lisa Bagnatori

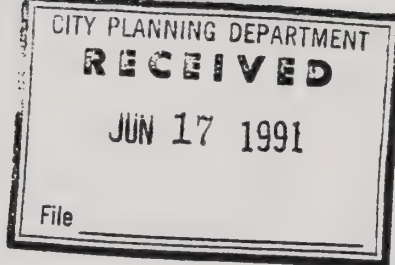
1. For an analysis of existing parking demand at the site, see pages 71-72 of the Draft EIR. The existing MIEC/Blood Bank parking lot is 76 percent occupied on a typical weekday afternoon because some spaces reserved for blood donors / visitors are vacant, and because some spaces reserved for specific employees are vacant if those employees are out of the office on business.

The provision of a company vehicle pool, included as one part of a proposed Transportation Demand Management (TDM) Program, could allow for more efficient use of on-site parking. (see response to Comment 2 for Letter IX.)

As explained in the letter from Alan C. Freeland (See Letter IV, 2nd paragraph), the off-site parking lot used by MIEC employees is no longer available. Therefore, the more efficient use of this lot by MIEC employees is no longer a factor in this analysis.

3. See response to Comment 2 for Letter IX.
4. See response to Comment 2 for Letter V.





6385 Hillegass Ave.  
Oakland, Calif., 94618  
June 13, 1991

Charles S. Bryant  
Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, Calif. 94612

Dear Mr. Bryant,

As long time residents (over thirty years) we are both dismayed and outraged at the proposed plan to build a 5 level office/parking garage addition to 6250 Claremont.

Our neighborhood is a healthy, viable, livable one that is being threatened by ill-considered proposals and projects which benefit no one but the developer. Our fear for the past four years has been that once the City abandoned its own zoning policy by permitting the Dreyer building, it would pave the way for further intrusion into and the destruction of our neighborhood. Please don't compound one disastrous city planning mistake by making another! It is particularly frustrating to those of us who love and value our neighborhood and are committed to improving all of Oakland to once more see evidence of the City's insensitivity to its citizens' needs and wishes and its disregard for the environmental impact on the area.

We have been on record for years with regard to the increased traffic congestion and noise pollution on College Ave and the residential streets surrounding College, such as 63rd and 62nd streets, but to no avail. Offices in this residential-small business area are inappropriate and should be confined to those downtown areas that are designed for that specific purpose. Isn't that why the City spent millions of dollars to develop downtown--and where there is still so much unoccupied office space? We might add that local neighborhoods have been neglected to improve the downtown area, that we in Rockridge have revived and restored this area so that it is now one of the most livable and economically viable neighborhoods in the city, and now there is a proposal which both undermines the City's downtown goal and the base which makes for a very special neighborhood for residents and small business. ①

Turning 62nd St. into a one-way artery is an untenable proposal. Apart from the safety factor, the increased traffic, and the disaster this would mean for the residents of that street, it would greatly exacerbate the current traffic problems on Hillegass Ave. This proposal has serious ramifications for not only 62nd St. but for the entire area. As recently as May 23, 1991, at a community meeting, we talked with Kevin Cummings of Traffic Engineering, to express our unhappiness with the congestion and parking problems in this area and ②

the need for the city to adopt a comprehensive plan to address these areas of concern. We were left with the impression that the City was aware of our problems and would make an effort to try to resolve them in a reasonable fashion that would be beneficial to the well-being and safety of the community. However, this proposal to build a 5level structure will bring more traffic to an area that is already overburdened; it will have the opposite effect by increasing traffic in the residential areas and contribute to the increase of air and noise pollution and the deterioration of our quality of life. Further, we are disturbed by the evident lack of communication between the various city agencies on the same or related issues and the mixed messages we, the taxpayers, get. (3)

We urge you to consider an undoubtedly controversial, but courageous alternative of not allowing parking on College Ave. during peak hours, with deliveries to be made during off-peak hours, so that four lanes of traffic may move more efficiently. We urge you to consider more viable ways of resolving the universal problem of traffic congestion than contributing to the deterioration of a neighborhood community. We urge you to consider a sound, consistent city planning program--and this would mean denying the building of a 5 level office/parking structure which encourages people to use their cars rather than taking advantage of the very good public transportation services within the immediate area. (4)

Thank you.

Sincerely yours,

Ethel S. Ruymaker

*Ethel Ruymaker*

John Ruymaker

*John Ruymaker*

cc: Marge Gibson Haskell  
Rockridge Community Planning Council  
Mayor Elihu Harris

**RESPONSE TO LETTER XVIII**

Ethel S. Ruymaker and John Ruymaker

1. See response to Comment 1 for Letter V.
2. See responses to Comment 11 for Letter V and Comment 2 for Letter VI.
3. This comment does not address the content or adequacy of the Draft EIR; therefore no response is necessary.
4. As a potential mitigation for cumulative traffic growth on College Avenue, restricting curb parking during peak-hours would reduce vehicle congestion and would also reduce parking available to businesses and residents, and could also increase overall traffic volumes on College Avenue, if the driver found it to be an uncongested route.

The Transportation Demand Management (TDM) Plan identified as mitigation on p. 83 of the DEIR would, if successfully implemented, reduce the demand for MIEC employee parking through, among other things, increased use of public transit and carpool and vanpools.



CLIFTON S. SCOTT

6236 ROCKWELL STREET  
OAKLAND, CALIFORNIA 94618

TELEPHONE (415) 547-7795  
FACSIMILE (415) 547-1011

July 23, 1991

RECEIVED

JUL 25 1991

PLANNING COMMISSION  
ZONING DIVISION

Mr. Charles S. Bryant  
Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, CA 94612

Re: File No. ER89-42  
Draft EIR for Medical Insurance Exchange of California Office Building Expansion

Dear Mr. Bryant:

I own and reside at 6236 Rockwell Street in Oakland, approximately 2 blocks from the site of the proposed Medical Insurance Exchange of California ("MIEC") project. I have several reservations and concerns about the proposed project, as follows:

1. the conversion of 62nd Street, at College Avenue, to one-way operation in the westbound direction;
2. the loss of approximately 35 parking spaces on the south side of Claremont Avenue, as a result of restriping Claremont Avenue to provide exclusive eastbound and westbound left-turn lanes at College Avenue;
3. the loss of what is basically open space, from an immediate visual impression;
4. the continued (and seemingly accelerating) commercialization of what is, first and foremost, a residential neighborhood; and
5. the underutilization of public transportation by MIEC employees.

Point 1

Conversion of 62nd Street to one-way operation would create a major inconvenience in accessing and exiting the Bank of America and Double Rainbow, these businesses being located on either side of 62nd Street at College Avenue. Most importantly, the Bank of America parking lot currently exits onto 62nd Street, at which point it is critical to be able to turn left (east). If 62nd Street were one-way westbound, customers exiting the Bank who wished to travel either north or south along College Avenue, or east along either Claremont Avenue or Florio Street (as I frequently do) would be required to go far out of their way, e.g. west on 62nd Street, stop at Hillegass, left on Hillegass, stop at 61st Street, stop at Claremont, left on Claremont (across two lanes of westbound traffic) - all just to get back to the starting point at 62nd Street and College

1

Avenue! The alternative of turning right on Hillegass from 62nd Street is equally unacceptable. Also unacceptable is the notion of changing the existing "enter only" access from College Avenue to the Bank of America parking lot to either "exit only" or "enter and exit" - College Avenue is simply too congested to consider such changes.

Access to Double Rainbow from the eastbound direction would also be very inconvenient if 62nd Street were converted to one-way westbound, particularly if the parking spaces on the south side of Claremont Avenue are eliminated as proposed. In fact, under the proposed traffic changes it is difficult to visualize just where one would park in order to patronize this establishment, if approaching it traveling eastbound on Claremont Avenue. Apparently, one would be forced to attempt a radical left turn from Claremont onto 62nd Street (if such a maneuver were legal), or park on the far side of one of the major arteries and negotiate a crossing on foot. Currently, as a two-way street, 62nd provides safe and convenient access to Double Rainbow from the eastbound direction.

### Point 2

As resident of this neighborhood, I have occasion to use the parking spaces on the south side of Claremont Avenue. Moreover, I know that many nonresident patrons of retail businesses along Claremont Avenue also use these spaces. Parking is a major problem in this neighborhood (obviously). While I can understand MIEC's desire to increase its on-site parking, it seems patently unfair to the residents and other retail patrons of this neighborhood to do so at their expense. This is exactly what the proposed project, with the proposed traffic changes, will do. While the proposed structure will provide a net increase of 31 private parking spaces, it does so at a cost of 35 public parking spaces! What an incredibly selfish and inconsiderate action!

2

While I agree that traffic movement would be enhanced by exclusive eastbound and westbound left-turn lanes on Claremont Avenue, it is simply not worth sacrificing 35 public parking spaces for. Moreover, eliminating parking spaces along Claremont Avenue will tend to make conditions less safe for pedestrians, by eliminating an effective "buffer zone" between traffic and the sidewalk. Additionally, I expect that traffic tends to move at a higher average speed in zones without street parking, further endangering pedestrians.

### Point 3

The existing parking lot between the MIEC building and the Blood Bank is nicely landscaped, giving an immediate visual impression of "open space." Because of the depth of this landscaped area, it almost appears park-like when viewed from Claremont Avenue. The existing parking lot has a far greater aesthetic value than the proposed project, the planned landscaping (by necessity limited to the periphery of the project) notwithstanding. Moreover, the existing parking lot serves admirably in breaking up the mass of the buildings on either side of it. With the addition of the proposed structure, there will be essentially one continuous mass of contemporary high-rise buildings from the MIEC through the Blood Bank. This would represent a very inappropriate and unwelcome element in what is (still) a predominately traditional (architecturally and otherwise) neighborhood.

3

Point 4

As a 6-year resident of this neighborhood, I am distressed by the continuing, and seemingly accelerating, commercialization of the College and Claremont corridors. Introducing new and updated retail services that meet the needs of residents is one thing; transforming the area into a business park is another. There is simply no logical, defensible argument for locating in residential neighborhoods the administrative offices of enterprises which are not oriented to serving local needs. While the C-31 zoning designation, Special Retail Commercial, may permit such use, it clearly violates the spirit of the designation, i.e. to "create, preserve, and enhance areas with a wide range of retail establishments serving both short and long term needs in attractive settings oriented to pedestrian comparison shopping, . . . typically appropriate along important shopping streets having a special or particularly pleasant character."

4

While the recently completed Dryer's project was controversial for this same reason, at least that project will offer retail space at street level. The existing MIEC/Blood Bank complex has no such redeeming feature. Enlarging the complex with the proposed project would add insult (a parking garage) to injury.

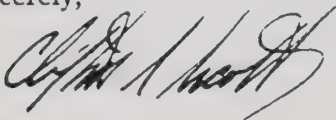
Point 5

I was shocked to learn from this EIR about the abysmal record among MIEC employees for utilization of public transportation. The EIR suggests that BART is a little farther away than most people care to walk. Speaking as one who walked the same route (actually, slightly longer) twice a day for 4 years, it's not too far. Which brings to mind an alternative not considered in the report, the "Mitigated No-Project Alternative": buy each MIEC employee a pair of walking shoes, a BART pass, and forget the project!

5

Thank you for your thoughtful consideration of my comments.

Sincerely,



Clifton S. Scott



**RESPONSE TO LETTER XIX**

Clifton S. Scott

1. See response to Comment 11 for Letter V.
2. See response to Comment 3 for Letter IX.
3. See response to Comments 3 and 5 for Letter V.
4. See response to Comments 1 and 2 for Letter V and pp. 33-39 of the DEIR for a discussion of Land Use, Planning and Zoning.
5. See response to Comment 2 for Letter IX.



**V. PUBLIC TESTIMONY AND RESPONSES TO TESTIMONY ON THE DRAFT  
EIR**

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CITY PLANNING COMMISSION  
OAKLAND, CALIFORNIA  
PUBLIC HEARING

MEDICAL INSURANCE  
EXCHANGE OF CALIFORNIA,

Applicant.

No. ER89-41 (CMD 89-317)  
and  
CMD89-317 (ER89-42)

COPY

666 Bellevue Avenue

Oakland, California

Wednesday, June 26, 1991

9:00 p.m.

CONSIDERATION OF THE DRAFT ENVIRONMENTAL IMPACT  
REPORT (DEIR) ON AN OFFICE/PARKING GARAGE  
ADDITION ON CLAREMONT AVENUE BETWEEN  
6250 CLAREMONT AVENUE AND 6230 CLAREMONT AVENUE,  
and  
APPLICATION FOR A MAJOR CONDITIONAL USE PERMIT  
AND DESIGN REVIEW TO CONSTRUCT A PARKING  
FACILITY AT 6250 CLAREMONT AVENUE

--o0o--

REPORTED BY: SHERRY SHERRY, CSR #5619

A P P E A R A N C E S

ON BEHALF OF THE PLANNING COMMISSION:

PETER SMITH, CHAIRMAN  
JOSEPH P. DELUCA  
JUDY L. ROWE  
DOLORES JAQUEZ  
JEAN BLACKSHER  
ANTHONY PEGRAM  
YUI HAY LEE

DIRECTOR OF CITY PLANNING:

ALVIN D. JAMES

CITY ATTORNEY:

MARK P. WALD, ESQ.

COMMISSION SECRETARY:

BURNEY JOHNSON

ON BEHALF OF MEDICAL INSURANCE EXCHANGE OF CALIFORNIA:

ALAN C. FREELAND, ESQ.  
Cooper, White & Cooper  
101 California Street, 16th Floor  
San Francisco, California 94111

L. RICHARD MELLO  
Secretary and Treasurer  
Medical Underwriters of California  
6250 Claremont Avenue  
Oakland, California 94618

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1 Wednesday, June 26, 1991

9:02 p.m.

2 --o0o--

3 MR. JAMES: Agenda Item 15. Consideration of the  
4 Draft Environmental Impact Report for a three-story, five  
5 level office/parking garage added to the existing MIEC office  
6 building submitted by the Medical Insurance Exchange of  
7 California. So it's corporation would be including one  
8 story of office space, which is approximately 6,000 square  
9 feet, along with three levels of above-ground parking and  
10 one level of underground parking, for a total of  
11 approximately 24,000 square feet, on Claremont Avenue  
12 between the existing MIEC office building at 6250 Claremont  
13 Avenue and the Blood Bank building at 6230 Claremont Avenue,  
14 building in the C-31 Special Retail Commercial Zone.

15 Also, you may also want to consider this Public  
16 Hearing, at least for purposes of the Public Hearing, with,  
17 in conjunction with Item Number 16 which is the Application  
18 for a Major Conditional Use Permit and Design Review to  
19 construct a multi-level parking facility with 5,600 square  
20 feet of additional office space (cumulative office space  
21 exceeds 7,500 square feet), again, at 6250 Claremont Avenue  
22 in the C-31 Special Retail Commercial and R-35 Special  
23 One-Family Residential Zones.

24 Mr. Chairman, we still have got a bunch of cards  
25 here.

1           CHAIRMAN SMITH: Mr. James, I was contacted by  
2 the neighborhood, various neighborhood and Rockridge area  
3 groups, and they have handed me a list of those speakers  
4 that they would like to speak and assured me they will be  
5 under two minutes apiece.

6           MR. JAMES: For the record may I state --

7           CHAIRMAN SMITH: Sure.

8           MR. JAMES: Okay. We have a total of one speaker  
9 that's unknown with what their position is because they  
10 inadvertently forgot to indicate what their position is.

11           We have four speakers' cards that are available  
12 for questions, otherwise, they don't wish to speak.

13           We have twenty cards that have indicated  
14 opposition to the proposal. In addition to those we have  
15 four additional speakers' cards indicating their opposition.  
16 It is my assumption these are the four who will be  
17 indicated -- who will be making the presentation to the  
18 Commission.

19           There is one speaker's card in favor of the  
20 application. It apparently is the legal representative for  
21 MIEC. Yeah, MIEC.

22           How do you wish to proceed, Mr. Chairman?

23           CHAIRMAN SMITH: Well, I have this list and,  
24 frankly, the -- what I asked the various groups to do was to  
25 organize themselves into issue areas and choose one person

1 to address those issues.

2 MR. JAMES: Mr. Chairman, would it be appropriate  
3 first to present to the Commission what the proposal is?

4 CHAIRMAN SMITH: Okay. Thank you.

5 Let's hear from Applicant.

6 MR. JAMES: May the Applicant come forward and  
7 make the presentation?

8 MR. FREELAND: Mr. Chairman, Members of the  
9 Commission, my name is Alan Freeland. I am a member of the  
10 firm of Cooper, White & Cooper. We are lawyers for the MIEC  
11 which is a reciprocal insurance company for approximately  
12 five thousand physicians in five states in the western  
13 United States. Reciprocal insurance company is essentially  
14 a cooperative insurance program under legislation which was  
15 enacted in 1975.

16 In 1985 the MIEC constructed the facility which  
17 currently is at the corner of Auburn and Claremont,  
18 Claremont Avenue being a four-lane arterial. The major  
19 architectural element on that -- in that area is the Safeway  
20 parking lot and garage which occupies a major portion of the  
21 intersection between College and Claremont.

22 The proposed facility is, as you see from the  
23 report, about approximately 7,000 square foot office  
24 facility on the third floor which connects to the existing  
25 MIEC building and it's for that reason that a variance in



1 height from the 30-foot height limit to 35 be -- is being --  
2 will be requested. It hasn't been applied for at this  
3 point.

4 CHAIRMAN SMITH: Sir, the item before us is the  
5 EIR, and if you could address that issue and describe the  
6 project from that perspective.

7 The next item on the agenda has to do with the  
8 conditional use permit and design review. So if we could  
9 go -- if you could start with the EIR and briefly describe,  
10 as you are doing, but let's proceed as it is on the agenda.

11 MR. FREELAND: I was just going to give an over  
12 view but I will leave that to the Draft EIR.

13 We did submit to the Commission, and I would  
14 appreciate knowing whether you received today,  
15 correspondence with supplements to the Draft EIR which  
16 describes the process by which we worked with the immediate  
17 neighbors in the community and the zoning and design review  
18 subcommittees of RCPC.

19 Is that in the file?

20 CHAIRMAN SMITH: We were just handed a document  
21 dated June 26, 1991 that has -- I mean is on MEIC -- MIEC  
22 stationery. And I mean it's quite lengthy. Is this the  
23 EIR?

24 MR. FREELAND: I won't read it out loud. I will  
25 leave it to the Commission to review it.

1           The main or substantive point that I wish to make  
2     in connection with the Draft EIR is that the project itself  
3     has undergone substantive changes, quite substantial  
4     substantive changes in connection with our meetings with the  
5     immediate neighborhood, and those changes are all detailed  
6     in the correspondence which you have in front of you.

7           There are two points with respect to the EIR that  
8     I'd like to bring to your attention. One is the alternative  
9     mitigation measure that has been suggested in the Draft EIR  
10    with respect to redesignating 62nd Street a one-way  
11    westbound street. That is not a proposal that has been  
12    propounded by the Applicant. It is a proposal that has  
13    simply been raised but we do not want to have that  
14    particular proposal identified with the Applicant. We don't  
15    have a point of view one way or the other except to note  
16    that the alternative seems to make a very little difference  
17    in terms of the traffic patterns at the interchange of  
18    College and Claremont.

19           The second point I would like to bring to your  
20    attention in connection with the specific Draft EIR is in  
21    connection with our work with our neighbors. The project  
22    was redesigned to provide louvers which were barriers to  
23    light so that the circular pattern of the driveway -- of the  
24    garage facility would not cause a spraying of light into the  
25    neighborhood. And those louvers are in place,

1 particularly -- let's see -- if we could have a drawing.

2 MR. JAMES: I was going to say, would you want to  
3 use this as a visual?

4 MR. FREELAND: I don't. I don't need it.

5 MR. JAMES: Okay.

6 MR. FREELAND: There is just one supplemental  
7 drawing because I want to make just one narrow point. The  
8 point I wish to make is it has been brought to our attention  
9 there was a concern that had not been expressed in the past  
10 about noise emanating from inside the garage into the  
11 neighborhood. And the drawings that I wanted to depict for  
12 you is to show if the real or any kind of ambient noise from  
13 traffic is going to come from existing street patterns.

14 John, what I need is the drawing that shows the  
15 distance from the back of the garage to the -- to the  
16 residences.

17 Our point is simply this: We have put in louvers  
18 to knock down the light. The question has now been  
19 propounded, should we make a solid wall there so that  
20 there's no possibility of traffic noise coming from inside  
21 the garage? The interior of the garage traffic pattern is a  
22 circular one. Traffic could move no more than three or four  
23 miles an hour as it turns in a corkscrew fashion, and the  
24 distance from the back of the garage to the nearest  
25 residence is so substantial that there would be much more



1 noise generated on Auburn or Florio than from within the  
2 garage. And we wanted to make that point so that there was  
3 no misperception about noise coming from inside the garage.

4 Of course, if you have any questions, the project  
5 architect and representatives of MIEC are here tonight to  
6 respond to it.

7 CHAIRMAN SMITH: Initially I have a couple of  
8 questions. As I read the EIR, my first instinct is why are  
9 you building a 50-stall parking garage when you already have  
10 19 parking spaces there that, frankly, look fairly  
11 attractive. It's a nicely landscaped parking lot. I mean  
12 one of the alternatives in here is no project at all and,  
13 frankly, that looked like the most attractive one.

14 I -- I really wonder why you have two buildings  
15 there and you want to build this many parking spaces? I  
16 don't understand the economics. I don't understand the  
17 practical necessity for parking in this area.

18 MR. FREELAND: And taking --

19 CHAIRMAN SMITH: A structure. I understand the  
20 practical necessity for parking, period. But no parking  
21 structure combined with a T.S.M. program or something like  
22 that would be a much better alternative and I just don't  
23 understand. I don't understand the need for a structure.

24 MR. FREELAND: The structure of course is  
25 two-fold. One is an office structure to provide for

1 expanded office requirements, relocating employees from the  
2 existing MIEC structure, bringing in additional employees as  
3 the business has expanded.

4 The second reason is there is no effective  
5 alternative in a meaningful context. It is true it is pad  
6 parking right now with some trees. In place of that we will  
7 be picking up 31 parking spaces.

8 The major improvement in the parking facility has  
9 been to substantially expand the underground parking to  
10 about 7,000 square feet and that expansion has provided us  
11 with the opportunity to build a building that's sited in  
12 proportion to the existing MIEC building. It's very much a  
13 requirement that we have the space.

14 What you have to take into consideration is our  
15 circumstances. One, as is noted in the EIR, there's a  
16 permit parking provision in that area which has prohibited  
17 the employees from having any kind of convenient parking.  
18 There's a commute strip that takes about 15 parking spaces  
19 effectively out of the available supply because one can't  
20 park in there in those positions until ten o'clock in the  
21 morning. And we are now faced with the prospect of our  
22 employees going out to their cars in the middle of the  
23 morning so they can relocate to the commute area.

24 But, the proportion of the problem couldn't at  
25 all be mitigated by having buses or other traffic patterns.

1 We happen to have in place right now a bus pattern to what  
2 used to be called the medical supply facility, old Safeway  
3 building about four -- three or four blocks down on  
4 Claremont. It is completely inadequate for the purposes for  
5 which we are putting this parking facility.

6 Recall, it is not a public parking lot. It is an  
7 office parking lot so that our employees can effectively  
8 come and go during the day. It has a secure gate on it. It  
9 won't be used in the evening by virtue of the fact that it's  
10 for the employees and it's -- we are not doing it  
11 gratuitously. It is very expensive but it is absolutely  
12 essential.

13 And it isn't a matter of whether there is a  
14 mature tree on the property because we have undertaken a  
15 very substantial landscape plan, together with the  
16 neighborhood, to assure that the final product is not just  
17 another building along Claremont which I hasten to point out  
18 is a major arterial at this point.

19 CHAIRMAN SMITH: Well, I'll turn it over to  
20 Commissioner Rowe in a second but, the -- how many employees  
21 are in the existing building? How many employees of MIEC?

22 MR. FREELAND: Of MUC approximately 75. MUC is  
23 the attorney-in-fact. It's a technical device by which the  
24 physicians have appointed an entity, the service, this  
25 reciprocal insurance program as set forth in the report.



1 Approximately 75, together with tenants and other entities  
2 it's approximately 95 or 100 employees in the building right  
3 now.

4 CHAIRMAN SMITH: How many additional employees  
5 would go into the new structure?

6 MR. FREELAND: I believe it's a total of 18 with  
7 six new employees coming in. In other words, relocating  
8 jammed up employees and then the balance of six.

9 CHAIRMAN SMITH: And the current parking lot is  
10 19 spaces. How many of -- I mean, I take it all those  
11 spaces are taken by current employees?

12 MR. FREELAND: That's correct.

13 CHAIRMAN SMITH: And how many -- how many  
14 additional employees drive and park their car in the  
15 neighborhood or the Safeway lot or whatever?

16 MR. FREELAND: I don't recall. I do recall that  
17 this was addressed in the -- in the report but I don't know  
18 that right off the top of my head. It's a significant  
19 number of employees, though, that are parking in the  
20 neighborhood. You can't otherwise park in the area.

21 They're -- right now we are parking, as I say, in  
22 the medical supply facility and we're scrambling for those  
23 commute lanes.

24 CHAIRMAN SMITH: Commissioner Rowe?

25 COMMISSIONER ROWE: I just want to follow up on

1 one of the Chairperson's questions about the economics of  
2 this. Can you tell us what your budget is for this  
3 building?

4 MR. FREELAND: I have to defer to my client.

5 MR. MELLO: \$3 million.

6 MR. FREELAND: \$3 million.

7 COMMISSIONER ROWE: Just for parking 51 cars in  
8 the --

9 MR. FREELAND: That's thirty cars.

10 COMMISSIONER ROWE: I am sorry, 30 cars.

11 MR. FREELAND: Thirty cars and the office and the  
12 expansion.

13 COMMISSIONER ROWE: This may be one of the most  
14 expensive parking structures that's ever been built.

15 I am just curious if you had investigated prior  
16 to this, buying less expensive parking in a somewhat remote  
17 location and --

18 MR. FREELAND: Outside of Oakland?

19 COMMISSIONER ROWE: No, maybe outside this  
20 general location two or three blocks maybe five, six blocks  
21 away, a surface lot and busing your people in?

22 MR. FREELAND: As I say, if you recall the former  
23 Safeway parcel that was the former medical supply parcel,  
24 that ownership changes and there just isn't stability in  
25 terms of that one location and there aren't immediate

1 alternatives for parking.

2 The practical point is all of Rockridge has  
3 severe parking shortfall partly by virtue of the permit  
4 project. Partly because of a hostility to have outside  
5 parkers in the neighborhood. I live in the neighborhood and  
6 there's a strong resistance to having outside parkers park  
7 there and that's why the permit system was put in place.

8 CHAIRMAN SMITH: Yes, Mr. Director.

9 MR. JAMES: Yes. Would this particular facility  
10 be located in the C-31?

11 MR. FREELAND: That's correct.

12 MR. JAMES: C-31 calls for ground floor  
13 pedestrian/retail level first. What is your response to the  
14 issue of having essentially certainly nonretail, nothing  
15 really, I mean, having parking I guess behind the -- what --  
16 what's the response to the issue of innovating specifically  
17 into the requirements of C-31?

18 MR. FREELAND: Several. One is we don't believe  
19 that that area -- that portion of the C-31 is consistent  
20 with C-31 as it's described on College, which is the mixed  
21 use with pedestrian traffic on it.

22 If you look at the pedestrian count in the  
23 report, there is very little commercial/residential traffic  
24 up and down Claremont. Partly that's a result of the  
25 four-lane road. Partly it's a result of the nature of the



1 tenancy in the MIEC building, and we can assure you that  
2 it's very difficult to find retail tenants that would move  
3 into the MIEC building for that very fact. People aren't  
4 going to cross Claremont Avenue at risk of life and limb the  
5 same way they cross College. So we don't think that it's  
6 really appropriate to apply that retail space.

7 I happen to have been a member of RCPC at its  
8 very founding and I was there when we turned C-31 up to and  
9 stubbed out at Auburn, and I believe that in retrospect that  
10 was at that time the College prep site. It wasn't -- it  
11 never has been a commercial site and we don't believe that  
12 it's appropriate to require that of us now.

13 One of the things we've done, if you are familiar  
14 with the facility as was originally designed, MIEC facility  
15 was designed to have a residential character and we've  
16 attempted to continue that. If you look at this it is not  
17 just a parking pad. It's got planters. It's got  
18 substantial landscape improvements and, as I say, it's very  
19 much a product of working with the immediate neighbors who  
20 have supported it.

21 CHAIRMAN SMITH: One of the impacts that's  
22 identified, although identified as a none -- as not being  
23 significant, is that the proposed project could encourage  
24 redevelopment of existing moderate density commercial sites  
25 with higher density commercial projects.

1           The EIR kind of ducks the issue there. It merely  
2       says the Planning Commission in making the decisions  
3       regarding approval or disapproval of this project would  
4       provide directly the types and intensities of future  
5       development in this site.

6           If I have to give any direction on that issue,  
7       it's going to be opposite what you propose. I believe the  
8       moderate density commercial development that currently  
9       exists is appropriate and it's any direction beyond that is  
10      inappropriate.

11          I mean how do you address that? I mean they're  
12      basically dumping it in our lap. The EIR consultant.

13          MR. FREELAND: I think I've responded to it in  
14      part. I think it's the nature of the circumstances in that  
15      neighborhood. The fact that retail use if it was brought  
16      into that neighborhood wouldn't have parking available to  
17      it, unless one was going to park in the Safeway parking lot,  
18      because there is no effective retail parking along that  
19      arterial. There isn't even enough for the existing  
20      employees in the MIEC building. So I think it's a product  
21      of the circumstances that are there.

22          If one were to say just without looking at the  
23      circumstances, in all cases ground floor retail has got to  
24      be there no matter what, and without exception without  
25      looking at the particular circumstances, there really isn't

1 a counter to it. But I'm saying if you look at the nature  
2 of the existing MIEC building and the existing Blood Bank  
3 building which has been there since I think 1975, there  
4 really isn't an effective retail strip once you turn the  
5 corner of College onto Claremont along that way. And if one  
6 were to as a developer invest money to make it a retail  
7 facility, you would have to have some kind of predictions of  
8 a return.

9 CHAIRMAN SMITH: Questions? Any questions for  
10 the speaker?

11 Yes?

12 MR. JAMES: Mr. Chairman, there are two. One  
13 relates to what's your assessment of the increased parking  
14 availability in proximity to an intersection with the level  
15 of service that is -- that occurs currently at the corner of  
16 College and Claremont? As you know, I think everybody is  
17 pretty clear that the a.m. peak and p.m. peak period level  
18 of service at that intersection is pretty tough, pretty  
19 heavy.

20 MR. FREELAND: It is.

21 MR. JAMES: This particular proposal in some way  
22 will impact that.

23 MR. FREELAND: Not substantially as I read the  
24 proposal. As you recall that there are no new curb cuts  
25 coming in and the turn-ins are sufficiently far up the

1 street from Claremont -- from the intersection as not to  
2 cause any sort of queuing or interface with the  
3 intersection.

4 MR. JAMES: You're dealing with operational  
5 issues. I am talking about the cumulative growth by -- by  
6 requiring additional vehicles who now have additional what?  
7 Thirty vehicles or so?

8 MR. FREELAND: We have an additional 30 vehicles.

9 MR. JAMES: Attracted to that location, obviously  
10 many of which will come through that intersection. My  
11 question is: What's your response to that?

12 MR. FREELAND: My response is I don't believe  
13 that's a significant impact in terms of the overall use in  
14 that -- in that immediate area. That 30 more cars is not --  
15 would not be a significant impact.

16 MR. JAMES: Second question has to do with is  
17 there an existing policy by your client, by your  
18 organization, for encouraging alternative modes of commute  
19 to the location and can you give the Commission some  
20 indication of what that is? Do you have a employee carpool  
21 program or anything of that nature that can give us some  
22 indication of what your organization is doing right now to  
23 address the commute needs of employees?

24 MR. FREELAND: Let me defer to Mr. Mello who is  
25 the secretary and attorney-in-fact for MUC who can address



1 that.

2 CHAIRMAN SMITH: Sir, I am going to have another  
3 question for you.

4 AUDIENCE MEMBER: I have a question.

5 CHAIRMAN SMITH: No. We are going to finish with  
6 this and then we will accept testimony and we have to do it  
7 by procedure.

8 MR. MELLO: My name is Richard Mello. I am the  
9 secretary/treasurer for Medical Underwriters of California.

10 If I understand the question correctly, what are  
11 we doing at this time to convenience the employees of the  
12 building. Our employees --

13 MR. JAMES: Encourage them to use alternative  
14 modes.

15 MR. MELLO: Right. As Mr. Freeland indicated, we  
16 are carpooling our employees to the Med Choice lot on  
17 Claremont Avenue, the old Safeway building. We encourage  
18 our employees to carpool, to join others in coming to work  
19 and that is happening. We are parking as many cars as we  
20 can at this time on the Med Choice lot and we have very good  
21 response to the program of parking on the lot.

22 However, we have employees that live in different  
23 areas of -- of the county, both counties, and when they have  
24 to come in separately they are parking three or four blocks  
25 away and when the carpool lane/commute lane is made

1 available they will get into there. Fifteen cars park in  
2 there when and if it's available, but we have encouraged our  
3 people to do that.

4 MR. JAMES: Mr. Chairman, let me just clarify  
5 that a little bit.

6 That doesn't tell me you have a carpool policy in  
7 terms of encouraging people to use alternative commute  
8 methods. What that tells me is you are attempting to  
9 facilitate their getting to another parking location and  
10 you're using carpool just as a method to get them from that  
11 location to your office and so forth.

12 My question is more generic than that. You are  
13 in proximity to a major transit corridor, both with respect  
14 to the Rockridge BART station and with respect to the  
15 transit that moves up and down College Avenue and so on  
16 Claremont as well.

17 So my question is: What programs are in place to  
18 encourage employees to commute from home to work using  
19 alternative modes of transportation?

20 MR. MELLO: Well, my response is that the  
21 employees that are carpooling and we have been -- we have  
22 encouraged them to do that, do drive to the office. They do  
23 then drive to the lot. We have a station wagon that picks  
24 them up at the lot and brings it back to the office.

25 We have approximately eight to ten employees who

1 carpool and utilize that system of picking up fellow  
2 employees at different locations where they live and  
3 bringing them to the office and parking in the lot. That's  
4 our program. There is no other -- there is no other  
5 practical parking provision in our area. There is nothing.  
6 It's very applicable to a reasonable program at this time.

7 MR. JAMES: Thank you.

8 CHAIRMAN SMITH: You're building a parking garage  
9 that adds 31 parking spaces and you are only adding six new  
10 employees. To me that says you are going to -- you're  
11 planning to do additional building in this area. Planning  
12 to build additional offices or something. What are the  
13 plans of your client in this -- with regard to this  
14 particular spot?

15 MR. FREELAND: I've addressed that in the -- I  
16 believe that's in the correspondence that you have. But the  
17 answer to that question is that the MIEC property at the  
18 location with the erection of the parking facility and  
19 office expansion would use up 100 percent of the MIEC  
20 property. The only remaining property is Blood Bank  
21 property which as we point out to everyone is a separate  
22 entity. It is true that there are common employees that  
23 work with the Blood Bank and with MIEC.

24 But what the thrust of the question is the  
25 parking facility that's part of the ACCMA, the Blood Bank,

1 is that going to be acquired by MIEC to build something? We  
2 have no present plans to do that.

3 Is the Blood Bank going to build something on  
4 that parcel? They have no plans that MIEC knows of to build  
5 on it. That property as we all know is R-35. It's not  
6 C-31. And if and when somebody was going to build on it  
7 they would have to address the issues of the current zoning.  
8 So there's no -- this is --

9 MR. JAMES: Just --

10 MR. FREELAND: It is clear in the letter that the  
11 focus of this parking facility by the integration with the  
12 MIEC building and its connection to the Blood Bank building  
13 is very much an office configuration. It is not pointed to  
14 some subsequent development.

15 In fact, any -- any consideration of the reality  
16 of this would make it clear that the only kind of building  
17 that could go on in the Blood Bank parcel would have to come  
18 off of Florio which is highly unlikely development.

19 MR. JAMES: Could I just ask for clarification  
20 what the property referred to for MIEC. Where is that  
21 property line in relationship to the project?

22 MR. FREELAND: You may want to step so the  
23 Commissioner can see.

24 MR. SMITH: And that sizeable parking lot there  
25 is the Blood Bank parking lot.



1 MR. FREELAND: This is the Blood Bank parking  
2 lot. And this is the property owned by MIEC.

3 CHAIRMAN SMITH: Right.

4 Any questions?

5 Commissioner Rowe.

6 COMMISSIONER ROWE: What relationship does MIEC  
7 have to the Blood Bank?

8 MR. FREELAND: Well, I --

9 COMMISSIONER ROWE: And I am sorry if I have  
10 missed it somewhere.

11 MR. FREELAND: No. It's MIEC contracts its  
12 insurance operations to its attorney-in-fact which I  
13 mentioned, the Medical Underwriters of California which is  
14 owned by the ACCMA. The Blood Bank is -- is also owned by  
15 the ACCMA.

16 COMMISSIONER ROWE: So both buildings have the  
17 same owner?

18 CHAIRMAN SMITH: I think they both have the same  
19 parent organization.

20 COMMISSIONER ROWE: Same parent organization.

21 MR. FREELAND: Same parent organization.

22 Well the MIEC is owned by the physicians. It is  
23 not owned by the Blood Bank. The MIEC is essentially a  
24 co-op of the physicians in five states, approximately five  
25 thousand physicians. It is not the Blood Bank. But, the

1 attorney-in-fact that handles the administrative tasks with  
2 respect to that entity is owned by the ACCMA as is the Blood  
3 Bank.

4 CHAIRMAN SMITH: Okay. So, the parent  
5 organization of the underwriter for this exchange is the  
6 same as the parent organization for the Blood Bank.

7 MR. FREELAND: Correct.

8 COMMISSIONER ROWE: And the buildings appear to  
9 be connected at the uppermost level.

10 MR. FREELAND: Precisely.

11 COMMISSIONER ROWE: And what will happen there?  
12 Why is there this connection?

13 MR. FREELAND: Partly the connection that the  
14 Blood Bank uses some of the parking in that area that will  
15 be lost, particularly during construction, and we're going  
16 to enter into an agreement with the Blood Bank permitting  
17 them, a couple of them, to park for those lost spaces in the  
18 new facility when it's erected. And so what we'll have to  
19 end up doing is, if you recall, the underground garage is  
20 going to be substantially expanded over the original project  
21 as we designed it and this is in response to neighborhood  
22 concern.

23 That expansion needs to be pursuant to an  
24 easement agreement to permit the causeway between the Blood  
25 Bank and the parking facility which joins at the top office

1 level to be connected and it's very much in connection with  
2 the operation of the MUC which is the attorney-in-fact for  
3 the MIEC.

4 COMMISSIONER ROWE: Thank you.

5 MR. JAMES: Jesus.

6 CHAIRMAN: Yes, Mr. James.

7 MR. JAMES: Can I ask a question and see if I can  
8 get some sense of this relationship. I understand I think  
9 the legal relationship.

10 Is there any use at all of the Blood Bank parking  
11 facilities by employees of MIEC? And vice versa.

12 MR. FREELAND: The answer is no.

13 MR. JAMES: Let me ask a different question. Are  
14 there facilities in place that segregate the parking that  
15 makes for controlled access by MIEC?

16 MR. FREELAND: No. It isn't. It's an open --  
17 both of them are open lots.

18 MR. JAMES: So in fact you're not --

19 MR. FREELAND: With different curb cuts.

20 MR. JAMES: We are not really sure if an employee  
21 of one comes to work --

22 MR. FREELAND: Absolutely.

23 MR. JAMES: -- rather than park 15 blocks away,  
24 decides I am going to take a Blood Bank's person spot today.

25 MR. FREELAND: The reason that doesn't happen is

1 not because of someone's say-so but because the Blood Bank  
2 has to have a lot of spaces for the donors that they're  
3 trying to attract to the area. There isn't another way to  
4 get donors into that area. That's why the parking for the  
5 Blood Bank is so important to the Blood Bank because they  
6 need that space for their own purposes.

7 But it is the case that if you looked at the  
8 parcels you'd see two separate curb cuts. MIEC personnel  
9 are not supposed to be parking where the Blood Bank is.  
10 They are supposed to be parking in, remember, MIEC itself  
11 has underground parking in the MIEC facility and it has this  
12 collateral parking lots and we use all those spaces.

13 But I couldn't represent to you there isn't an  
14 MIEC employee who might park in an adjacent area some  
15 morning, there wouldn't a ticket or a sanction. It's not  
16 permitted but there wouldn't be a consequence I would  
17 imagine.

18 CHAIRMAN SMITH: Okay.

19 Any further questions?

20 MR. WALD: Mr. Chairman, a question.

21 You indicated there are some common employees  
22 between the Blood Bank and MIEC? Where do those employees  
23 park? At the Blood Bank parking lot or the MIEC employees'?

24 MR. FREELAND: Common. Well, in the sense that  
25 MUC employees which are parking in the MIEC side of things,



1 those employees can also because they are under common  
2 directorship with the Blood Bank, that's the commonality.  
3 They're not -- they are not parked on M -- on Blood Bank  
4 property. By virtue of the fact that they are an entity  
5 owned by the Alameda/Contra Costa Medical Association.

6 MR. WALD: Would there be folks who work for both  
7 entities? How many folks are there who work for both  
8 entities?

9 MR. FREELAND: I can't -- I didn't say that  
10 correctly. MUC is a separate entity but I think of it as  
11 part of the ACCMA because it is an affiliate of it. So  
12 there weren't employees of MUC that I know that are part of  
13 ACCMA unless -- There are two. There are two. There are  
14 two?

15 I stand corrected. All right.

16 MR. WALD: Okay.

17 CHAIRMAN SMITH: Any further questions?

18 MR. DELUCA: I have a question.

19 CHAIRMAN SMITH: Mr. DeLuca.

20 MR. DELUCA: Has your client considered a  
21 multi-level subterranean parking rather than just one level?

22 MR. FREELAND: We have. It is phenomenally  
23 expensive. It is prohibitively expensive.

24 MR. DELUCA: You mean more than the three  
25 million --

1 MR. FREELAND: It's very expensive.

2 MR. DELUCA: -- you were ready to give?

3 MR. FREELAND: Yes. It is just out of the  
4 question.

5 And one of the -- the expansion that we have  
6 undertaken is as large as we can make it for underground  
7 parking and that's costing us a lot of money which we would  
8 prefer not to spend but we're doing it because we have  
9 shrunk the parking facility and the upper floors in  
10 accommodation to the residents. So we don't have -- so we  
11 have substantial setbacks and we have a substantial area to  
12 put our landscape plan in place. But we have thought about  
13 going all the way down.

14 MR. DELUCA: And the answer is no.

15 MR. FREELAND: It's not even close.

16 MR. DELUCA: Thank you.

17 COMMISSIONER ROWE: Commissioner.

18 CHAIRMAN SMITH: Commissioner Rowe.

19 COMMISSIONER ROWE: We are going to try one more  
20 alternative that we wondered if you investigated.

21 Had you considered working with the Blood Bank  
22 and taking the property that's there, all of their parking  
23 lot property and all of your property and making a one level  
24 subterranean garage to accomplish the same amount, in fact  
25 probably more parking spaces, and then parking on top of it

1 at grade?

2 CHAIRMAN SMITH: Following up on that question, a  
3 lot of your parking garage is taken up with the ramp.

4 COMMISSIONER ROWE: It's a very, very inefficient  
5 garage.

6 MR. FREELAND: We did not -- we did not pursue  
7 the imposition of a parking facility in the R-35 zone and we  
8 didn't because we thought it would be -- this would just not  
9 be acceptable to anyone.

10 We are working within the zone in which we  
11 believe we have a right to build this office expansion and  
12 parking facility and we did not undertake to put it in the  
13 R-35 zone.

14 COMMISSIONER ROWE: I see. Okay.

15 MR. FREELAND: There is another issue which I  
16 can't really address fully tonight, but I think there is a  
17 sense that this is all just one happy family on the  
18 Applicant's side but the ACCMA has its own agenda and there  
19 isn't any reason in the world to think anymore than anyone  
20 else that they would be in a mood to have a parking facility  
21 interrupt their parking for the 52 weeks that would be  
22 involved. It is going to be bad enough as it is. So I  
23 don't really think it would be a practical alternative.

24 But to answer your question, it hasn't really  
25 been investigated because it just doesn't look to be

1       workable.

2               COMMISSIONER ROWE: Thank you.

3               CHAIRMAN SMITH: Any further questions?

4               Thank you, sir.

5               MR. FREELAND: Thank you.

6               CHAIRMAN SMITH: This was the only speaker for  
7 the Applicant?

8               MR. JAMES: Yes.

9               CHAIRMAN SMITH: Okay. I have studied the list  
10 of people that wish to speak in opposition to this and there  
11 is some duplication of topics. So what I would like to do  
12 is address the topic of land use first and ask Kathy Walsh  
13 come forward and have Mr. Norman McCloud listen carefully  
14 and see if there is anything he would want to add.

15              MR. JAMES: The timing?

16              CHAIRMAN SMITH: Two minutes.

17              MR. JAMES: Ms. Walsh, I appreciate you  
18 organizing this for us.

19              MS. WALSH: Thank you.

20              Good evening, my name is Kathy Walsh. I am a  
21 Chair of the Rockridge Community Planning Council.

22              And first of all, with your permission, I would  
23 like to ask that everyone who has come here to speak against  
24 this issue stand up. Who is against it. Not to speak.

25              Thank you.



1 I also want to state that RCPC has not been  
2 involved in the negotiations between a very small group of  
3 neighbors or individuals on Auburn and the MIEC as was  
4 implied earlier.

5 We think that one of the reasons that Rockridge  
6 is considered to be such a terrific neighborhood is that  
7 with some effort the spirit -- the spirit of the C-31 zoning  
8 has been maintained. And as you mentioned earlier, this is  
9 a special retail/commercial zone and it was designed in  
10 cooperation with neighbors and city staff about twenty years  
11 ago. And its main objective is to foster a pedestrian  
12 friendly, retail environment and it's been fairly  
13 successfully implemented in the Rockridge neighborhood.

14 However, there are some unfortunate exceptions  
15 both existing and proposed, and we believe that the current  
16 proposal before you is one of these unfortunate exceptions.  
17 We think that this proposal will only compound the already  
18 massive presence of the combined MIEC and Blood Bank complex  
19 that you can almost see in those drawings.

20 In terms of land use, this proposal introduces  
21 into the Rockridge neighborhood a completely new type of  
22 land use and that is the parking structure. This site is  
23 currently used as a parking lot but a landscaped, surface  
24 parking lot bears very little resemblance to a four-level  
25 parking structure. With great forethought -- that's a

1 little self-serving because I was involved in that -- this  
2 frontage was zoned for retail, and a parking structure is  
3 absolutely the worst kind of land use with respect to --  
4 with respect to creating interface with the public.

5 We believe that the rationale for the parking  
6 structure also bears some investigation, as I think your  
7 previous questions have indicated. MIEC employees claim  
8 they're short on parking space but perhaps that can be  
9 explained by some of the things that you've just been  
10 investigating and that is, that as the EIR points out, only  
11 seven percent of the current employees use public transit.

12 MR. JAMES: Mr. Chairman, the speaker's time is  
13 up.

14 MS. WALSH: Okay.

15 CHAIRMAN SMITH: Please wrap it up.

16 MS. WALSH: Okay, let me skip here.

17 We want to -- I think this is something that no  
18 one else is going to be addressing tonight and I want to  
19 stress this. That the number of employees that would occupy  
20 any new office space should be based on a standard formula.  
21 Not as in this case on the company's plan to relocate from  
22 an adjacent building. And since the EIR must determine the  
23 real impacts of a project, the maximum potential number of  
24 employees should be projected for purposes of traffic and  
25 parking impact and we don't feel that this is done in this

1 particular EIR.

2 CHAIRMAN SMITH: Thank you.

3 MS. WALSH: I think I will conclude there so you  
4 can fit in any other speakers.

5 CHAIRMAN SMITH: Any questions of the speaker?  
6 Thank you.

7 Mr. McCloud, do you have anything to add to that?

8 MR. McCLOUD: I have one.

9 CHAIRMAN SMITH: Okay. Mr. McCloud represents  
10 the Hillegass Area.

11 MR. McCLOUD: Yes. My name is Norman McCloud and  
12 I lived on 62nd street for 15 and a half years and plan to  
13 stay there.

14 The point I want to make follows up on the  
15 question that you asked, Mr. Chairman. Back in 1948 the  
16 Communist party in Hungary took over the government by the  
17 salami method. The salami method is that if you ask for the  
18 whole salami you are not going to get it but if you ask for  
19 slice by slice by slice at the time, you are going to end up  
20 with the whole salami. And I believe that MIEC in  
21 developing this lot using the salami method.

22 And my question is this: This is about the third  
23 or fourth development on this plot. Are we ending up with  
24 the whole salami or is it just another slice? I fear it is  
25 just another slice. Their attorney uses the word, they have

(4a)

1 no present plans. Well I'm an attorney as well and I know  
2 those are weasel words.

3 MR. JAMES: Mr. Chairman, I don't think --

4 CHAIRMAN SMITH: Yes.

5 Mr. McCloud, one thing you could do for us is  
6 submit a speakers' card. We need your name and address for  
7 our records.

8 MR. McCLOUD: I did.

9 CHAIRMAN SMITH: You did?

10 MR. McCLOUD: Yes.

11 CHAIRMAN SMITH: Okay. We will find it.

12 MR. DELUCA: And please also indicate what type  
13 of salami you'd like.

14 MR. McCLOUD: Italian.

15 MR. JAMES: We have it.

16 CHAIRMAN SMITH: The next -- the next speaker  
17 that is indicated here on the list is someone who wishes to  
18 speak to urban design. The next item on the agenda is an  
19 urban design issue or design issue so, if I could pass Mr.  
20 Thomas until we reach that issue.

21 The next issue would be traffic and there's two  
22 people signed up to talk about traffic. One is from the  
23 Hillegass area and that would be Bob --

24 MR. MCCARVER: McCarver.

25 CHAIRMAN SMITH: McCarver.



1 And if Mr. Ray Perman could listen from the RCPC,  
2 if there's anything to add.

3 Two minutes.

4 MR. MCCARVER: My name is Bob McCarver. I live  
5 at 6207 Hillegass.

6 I first of all want to augment the concerns about  
7 traffic. Nowhere in this study does it mention the study of  
8 the traffic at the corner of 62nd and Hillegass. Hillegass  
9 right now is a major bypass for the congestion on College.  
10 We did a traffic survey last week that showed between the  
11 hours of 4:30 and 6 an average of about 480 cars went  
12 through that intersection every day. That's just during  
13 those evening rush hours.

14 Another thing that's not addressed in this EIR is  
15 the traffic coming down 62nd, westbound on 62nd. One  
16 hundred twelve of those 480 cars were westbound on 62nd  
17 coming into the intersection at 62nd and Hillegass. So I  
18 think that any Environmental Impact Report that is studying  
19 traffic and the impact on traffic has to include the traffic  
20 on Hillegass and 62nd.

21 CHAIRMAN SMITH: Okay. And does the EIR fail to  
22 do that?

23 MR. MCCARVER: Yes.

24 CHAIRMAN SMITH: Okay.

25 MR. MCCARVER: In a number of ways. If you look

1 at the, first of all, there is absolutely no mention  
2 anywhere of westbound traffic on 62nd. If you look at the  
3 diagrams on page --

(7)

4 CHAIRMAN SMITH: Can we be referred? Yeah.

5 MR. McCARBER: On page 75, they are basically the  
6 same diagrams, different figures on there. None of those  
7 arrows showing traffic actually describes any turns being  
8 made onto 62nd. They are left turns onto Claremont, right  
9 turns on -- or rather, yeah, onto Claremont but nothing  
10 going down 62nd.

11 CHAIRMAN SMITH: Okay. Thank you.

12 MR. McCARVER: Now, they said -- the speaker for  
13 MIEC said that he didn't think that the additional 18  
14 employees would have a significant impact on the traffic at  
15 Claremont and College. If you look at the current and  
16 projected figures, almost --

(8)

17 MR. JAMES: His time is expired.

18 CHAIRMAN SMITH: Could you sum up? I am sorry,  
19 would you sum up?

20 MR. McCARVER: Well, let's just -- let me just  
21 tell you.

22 CHAIRMAN SMITH: Just one point, I think it's six  
23 additional employees, 12 from the old building.

24 MR. McCARVER: They are talking about 18  
25 altogether.

1 CHAIRMAN SMITH: Twelve would be coming over.

2 MR. MCCARVER: Right. But they're -- but the  
3 study talks about eventually there would be 18.

4 CHAIRMAN SMITH: Okay. That's fair enough.

5 MR. MCCARVER: And the speaker himself said there  
6 are plans to add more places as the business expands.

7 Anyway, to finish my point. They say that in the (9)  
8 study there are only going to be six more trips during peak  
9 hours eastbound and westbound on Claremont. If you look at  
10 the existing plus project, you compared the existing with  
11 the existing plus project, there is a net increase of only  
12 six trips during peak hours. Yet, on page 73 it talks about  
13 96 total trips.

14 Now, I don't know what's happened to the other 90  
15 or so vehicles that are going to be going in and out of the  
16 parking lot or the garage there. That have to go onto  
17 Claremont, that's the only entrance. I don't know where  
18 they evaporated to. Okay?

19 CHAIRMAN SMITH: Thank you.

20 MR. MCCARVER: There are some other issues that  
21 if you have questions, the parking survey's inadequate. It (10)  
22 neglects areas that are much closer to the project than the  
23 areas that they've surveyed.

24 There's no indication that the section of  
25 Alcatraz between Claremont and College was studied. That

1 was entirely omitted. Yet they went out, all the way out  
2 Lewiston, Eton and College to Woolsey completely bypassing  
3 that section of Alcatraz.

4 They didn't study the traf -- the parking on  
5 62nd. So, there are serious deficiencies.

6 Then, one last thing that I think is very  
7 important. They talk about the difficulty with the parking (11)  
8 in the neighborhood. And one of the mitigations for the  
9 traffic that's proposed in here involves eliminating 35  
10 street parking spaces. That's the restriping of College  
11 Avenue to provide left-turn only lanes -- or not College but  
12 Claremont Avenue, rather -- to provide left-turn only lanes.  
13 That would eliminate 20 parking spaces on one side of  
14 Claremont and 15 on the other. So they are taking -- they  
15 are building 34 parking spaces for themselves and taking 35  
16 away from the neighborhood.

17 CHAIRMAN SMITH: That -- that's not addressed in  
18 the EIR?

19 MR. MCCARVER: No, it's admitted right in the  
20 EIR. That's one of the problems with the mitigations.

21 CHAIRMAN SMITH: Questions for the speaker?

22 COMMISSIONER ROWE: I would like to ask you about  
23 the proposal in part of the EIR of changing 62nd Avenue into  
24 a one-way street.

25 MR. MCCARVER: Well --



1 COMMISSIONER ROWE: And -- and what I would like  
2 to know as a resident on Hillegass how would you personally  
3 feel about that?

4 MR. McCARVER: That's what got me so exercised to  
5 come down here in the first place. And I was --

6 COMMISSIONER ROWE: And --

7 MR. McCARVER: -- and a lot of these other people  
8 as well. And I was glad to hear the representative of MIEC  
9 to say that wasn't their suggestion.

10 COMMISSIONER ROWE: I picked up on that.

11 MR. McCARVER: I think that ought to be ditched  
12 immediately.

13 Nobody is in favor of it and it would create a  
14 disastrous thoroughfare coming into Hillegass and plus it  
15 would inconvenience all the people on Hillegass and the  
16 cross streets that go up that intersection, force them to  
17 take circuitous routes up to College and Claremont through  
18 other congestion. So, I think that ought to be the end of  
19 that suggestion.

20 COMMISSIONER ROWE: Thank you. I just wanted to  
21 know your personal opinion.

22 CHAIRMAN SMITH: Commissioner Pegram.

23 COMMISSIONER PEGRAM: Just one question. You  
24 said that you don't see any EIR indication of the traffic  
25 flows on 62nd.

(12)

1 MR. McCARVER: Yes. Going down -- westbound on  
2 62nd.

3 COMMISSIONER PEGRAM: I don't know, let me ask  
4 this. Maybe I don't understand this. But on page 64 or 65,  
5 either of those --

6 MR. McCARVER: Yeah.

7 COMMISSIONER PEGRAM: -- it appears that it  
8 does -- the arrows do indicate.

9 MR. McCARVER: No, the arrows indicate -- if you (13)  
10 look, there are four turn possibilities for southbound  
11 traffic on College. They only have three arrows. They have  
12 an arrow for left turn going up Claremont. They have an  
13 arrow for right turn going down Claremont and they have an  
14 arrow going straight ahead down College.

15 CHAIRMAN SMITH: He's right.

16 MR. McCARVER: If -- if in fact this purports to  
17 include the traffic westbound on Hillegass then it's wrong  
18 by our own count by a substantial margin. So either way.

19 COMMISSIONER PEGRAM: It is not clear where that  
20 right turn is going, whether it's going 62nd or --

21 MR. McCARVER: Well it has got -- it has got to  
22 be going down Claremont. Because otherwise it's just flat  
23 wrong if they're saying it's not going down 62nd because  
24 traffic down 62nd is a hell of a lot more than that.

25 CHAIRMAN SMITH: There is something missing here

1 obviously.

2 COMMISSIONER PEGRAM: I see.

3 CHAIRMAN SMITH: Because there's three arrows and  
4 four possibilities.

5 COMMISSIONER PEGRAM: I see.

6 CHAIRMAN SMITH: So you are right.

7 Okay. Any more questions?

8 MR. MCCARVER: Just one other point if I may. To  
9 give you an idea of the inconsistencies in this report, if (14)  
10 you look back at the Appendix, the attachment to the initial  
11 study. Let's see, it describes -- it says that a survey  
12 done for Dreyer's shows a level of service at that  
13 intersection of F, basically unacceptable. Yet, the current  
14 estimate in the body of this report shows a level of service  
15 of D. So there, somehow, the level of services seems to be  
16 improved by -- to -- to increase through the magic of EIR  
17 writing.

18 CHAIRMAN SMITH: We don't have any of those  
19 Dreyer's employees coming through there while the  
20 construction is going on.

21 Okay. Thank you. Any further questions?

22 Okay. Thank you, sir.

23 Mr. Perman, do you have anything to add?

24 MR. MCCARVER: Also, I have a letter here as  
25 well.

1 MR. JAMES: Give it to us for the record. Thank  
2 you.

3 MR. MCCARVER: We have the petitions of -- by the  
4 residents in the area.

5 CHAIRMAN SMITH: If it hasn't, please do it. We  
6 will consider.

7 MR. MCCARVER: This was just on two weeks notice.

8 CHAIRMAN SMITH: I understand.

9 MR. JAMES: He did certify it.

10 CHAIRMAN SMITH: Okay.

11 Mr. Perman. And I assume you submitted a card,  
12 sir.

13 MR. JAMES: Yes, I have his in hand.

14 MR. PERMAN: Good evening. My name is Ray Perman  
15 with RCPC. I also happen to be a resident right off the  
16 back of the south boundary of the property. I just want to  
17 add a couple of things.

18 In regard to assessing human impact, the traffic  
19 study was done without including the impacts of the traffic (15)  
20 generated by Dreyer's. So again, that brings to more  
21 question the level of identifying College and Claremont  
22 intersection and the capacity level E. If that's changed  
23 perhaps its mortality, it's a dangerous intersection.

24 In regard to the openings of the back of the (16)  
25 parking structure, I really think that Mr. Freeland is



1 absolutely, completely wrong. There's a big difference  
2 between noise generated on the street which is unfocused and  
3 it's attenuated over a distance as opposed to those which is  
4 generated at a second or third level which focused on a  
5 concrete structure and deliver line of sight up to upper  
6 level bedrooms for blocks.

7 Almost every house on our street is two stories  
8 and almost all of us have some line -- direct line of sight  
9 to the back of that building. There is absolutely no excuse  
10 why that rear wall has to be opened. It should be  
11 absolutely airtight either by a solid wall or by absolute  
12 solid butt glazing.

13 The louvers if you want to have natural light  
14 come in, that's fine. Louvers will prevent headlights from  
15 streaking across bedrooms. But again, that's just patently  
16 wrong. It is going to be an equal amount of noise in that  
17 structure.

18 If anything in consideration of future  
19 development, you are looking at a parking garage that  
20 appears to be 75 percent ramp and 25 percent almost like  
21 ears, parking spaces around this ramp. And then  
22 coincidentally you are looking at large openings on the back  
23 of the building that seem to be matching passthroughs to  
24 possibly future structures. So we don't understand why  
25 these are there. Thank you.

1 CHAIRMAN SMITH: Thank you, sir.

2 I am sorry, did anyone have a question of the  
3 speaker? No.

4 Claire Chapin. Did Mr. Chapin submit a card?

5 MR. JAMES: I am -- I don't know. I am looking  
6 now.

7 MR. CHAPIN: I did.

8 CHAIRMAN SMITH: Thank you.

9 MR. CHAPIN: Mr. Chairman, Commissioners, my name  
10 is Claire Chapin. I live at 375 62nd Street.

11 I wish to address you along the lines of traffic  
12 control measures and air quality involved in this project.  
13 As you know, the MIEC parking facility and office expansion  
14 is important because it is one more building on top of a  
15 sizeable amount of cumulative that is approved or planned  
16 development in the area.

17 The Bay Area Quality Management District, the  
18 nine county Bay Area district, is in charge of air quality.

19 CHAIRMAN SMITH: Sir?

20 MR. CHAPIN: Yes?

21 CHAIRMAN SMITH: Sir, I don't want to interrupt  
22 you but can you limit the comments --

23 MR. CHAPIN: Yes. I will not address the EIR.  
24 Yes. These are not in the EIR

25 Standards have been set for air quality. A large

1 part of the Bay Area is classified as a severe area. A  
2 large part of the glutens come from motor vehicle traffic.  
3 Motor vehicle traffic is addressed by the clean air plan and  
4 the reduction of emissions from automobiles are priority for  
5 the district. They are promoting traffic control measures.  
6 They are ridesharing and the public transit use.

7 According to the Draft EIR the MIEC is not  
8 efficiently using its present parking facilities, public  
9 transit or ridesharing. Their parking lot would create 31  
10 spaces. According to the Draft EIR, 26 percent of the  
11 parking lot is now being leased to tenants which would  
12 amount to 29 spaces, 76 percent of the parking lot is  
13 occupied at 2 p.m. That's means about a quarter of it is  
14 unoccupied and that amounts to 26 spaces.

15 Fully 86 percent of the MIEC employees drive  
16 alone in their cars to work. We checked that with a  
17 volunteer who went to the parking lot and watched the cars  
18 come in and out and, indeed, there is one person per car and  
19 there are empty spaces in the lot. Only seven percent of  
20 the employees according to the Draft EIR use public transit.  
21 And, Mr. Mello mentioned carpooling with the alternate  
22 parking lot, only 3 percent of the employees use that  
23 off-site parking lot that is provided.

24 Clean air is important. The Air Quality  
25 Management District is asking everybdy do their share to

1 reduce their dependence on the automobile. I suggest that (17)  
2 we do our share and have similar restraint in approving the  
3 parking structure unless we can show that it is needed, and  
4 that we shouldn't approve this Draft EIR until we have  
5 needed -- the need proved and traffic control measures  
6 instituted now instead of later.

7 CHAIRMAN SMITH: Thank you.

8 The other speakers here listed once under  
9 background. I don't quite understand what that means.

10 Is Mr. Kirkland -- Kirky wish to speak as to  
11 cumulative impacts? I -- why don't we have Mr. Kirky come  
12 forward to speak as to cumulative impacts and -- I can't see  
13 how there's going to really be a lot to add to that as far  
14 as background.

15 Mr. Kirky.

16 MR. KINCAID: My name is Don Kincaid. Sometimes  
17 my handwriting is careless. My "n" looks like "r" so I can  
18 understand the confusion. And I'm here to speak tonight on  
19 cumulative impacts.

20 And I want to point that we are privy tonight to  
21 something of an event, a real phenomenon in public hearings.  
22 Usually when projects like this are proposed, people in the  
23 surrounding neighborhoods object saying they don't want it  
24 and this is often branded a NIMBY, not in my backyard. But  
25 we've been told residents are saying sure, put it in my



1 background.

2 But projects like this that add traffic, add  
3 congestion and add density have already been built in  
4 backyards up and down College Avenue. The Rockridge News  
5 issue that you are looking at, a year ago, details on the  
6 front page on some of projects proposed at the time that  
7 the MIEC was even then under consideration.

8 It was originally proposed I think about two  
9 years ago and at the time of its proposal then, many  
10 projects were simultaneously at the proposal stage and have  
11 been built since then. They are listed I think on page 76,  
12 for the most part they are listed on page 76 of the EIR.

13 They include projects like the two commerical  
14 storefronts at the south end of College, four retail  
15 structures between Hudson and Taft. Five retail storefronts  
16 at Birch Court/College, the Dreyer's headquarters at College  
17 and Chabot Roads. Three storefronts and five condominiums  
18 under construction now at College and Chabot. Five to six  
19 storefronts at the Clock Building in College and Alcatraz  
20 and several other restaurants and things that I haven't  
21 mentioned.

22 Some of these projects provided parking and were  
23 required to do so by the size of them. Others were built in  
24 increments, the salami approach there even then, not  
25 requiring the use would call for a project for parking. If

1     they had considered in their original size.

2                 Each of those projects has slightly eroded the  
3     nature and quality of life in the Rockridge area. Each adds  
4     a few cars and employees, a few more visitors driving  
5     through the area.

6                 MR. JAMES: Time.

7                 MR. McCARVER: Together cumulatively they have  
8     created a quality for the area, primarily a loss for  
9     Oakland.

10                CHAIRMAN SMITH: Thank you. I think the  
11     cumulative impacts are to a certain extent summarized but  
12     they could -- but not -- there's not a definite opinion  
13     there but I think at least there's enough there for us to  
14     make a determination of the cumulative effects.

15                MR. KINCAID: Thank you.

16                CHAIRMAN SMITH: Certainly ample evidence in the  
17     regard that has been before this committee -- this  
18     Commission over the years in terms of the Dreyer's issue and  
19     others where we can make some sort of a determination of  
20     that but I appreciate your comments.

21                Any questions? Okay.

22                There's one remaining issue area added that is  
23     referred to as southside neighbors. And a person by the  
24     name of Tom Hallohan. Could you briefly summarize the  
25     issues with regard to the southside neighbors?

1 MR. HALLOHAN: Yes, very briefly. I live right  
2 across the street from this insurance company on the south  
3 side. The Environmental Impact Report doesn't talk about --

4 MS. JOHNSON: Do you want -- Could you state your  
5 name?

6 MR. HALLOHAN: I am sorry. Tim Hallohan.

7 The Environmental Impact Report doesn't talk  
8 about the south side and the impact on us at all. They  
9 mention us once in the whole report. We comprise at least a  
10 third of the area and at least 50 percent of the residents  
11 that are directly affected by this. In this EIR doesn't  
12 even talk about us.

13 CHAIRMAN SMITH: Where are you? I am sorry.  
14 Where are you on the map?

15 MR. HALLOHAN: Florio side. The south side.

16 CHAIRMAN SMITH: South side of Florio. Okay.

17 MR. HALLOHAN: Right. So we are about half of  
18 the people that are affected and we are not even mentioned.  
19 So that's a problem there.

20 It doesn't talk about how the noise will be  
21 alleviated for us or the light will be alleviated for us. I  
22 have one of those houses that looks right onto this  
23 insurance company, is going to have to look at those lights  
24 and listen to that noise at night. I assume a lot of it  
25 will be because in the Environmental Impact Report it says

1 71 percent of these people do not work during the normal  
2 daytime hours. So, I assume there's going to be some  
3 nighttime travel in there.

4 It doesn't talk about vegetation and how it will (19)  
5 affect us because we are going to be looking on essentially  
6 a four-story ugly parking lot in a residential area. What  
7 kind of vegetation are they going to put up to shield us  
8 from that? They don't talk about it.

9 One thing it does talk about is there will be (20)  
10 very significant noise level during the year, year and a  
11 half period building this thing. What kind of protection do  
12 we have there? It doesn't talk about that.

13 All we can do is assume that they are going to do  
14 as they have done in the past which is to work on Saturdays  
15 and Sundays, early in the morning until late at night which  
16 will affect us. Nothing in here that let's us know that  
17 other than that is going to happen.

18 It will encourage development. I don't need to  
19 go into that any further.

20 And finally, I just want to stress one point and (21)  
21 that is they haven't showed in this Environmental Impact  
22 Report that they have thought of alternatives. Eighty-five  
23 percent of people coming in one person per car which is  
24 unacceptable. Two people -- percent taking the bus is  
25 unacceptable. Me and my neighbors take the bus. Those of



1 us take public transportation or carpool. Why should we  
2 have to put up with people from other neighborhoods coming,  
3 driving their cars, one to a car and having a big parking  
4 lot? It's just not right.

5 CHAIRMAN SMITH: Thank you. Any questions for  
6 the speaker? All right.

7 MR. HALLOHAN: Thanks.

8 CHAIRMAN SMITH: Thank you.

9 There's an indication that a representative of  
10 Marge Dixon Haskell, Council Member wants to speak. Or do  
11 you just wish to -- okay. Could you come forward?

12 There wasn't a subject matter next to it so I  
13 wasn't sure what it was.

14 MS. LOTAR: My name is Winkie Campbell Lotar. I  
15 am assistant to Council Member Marge Dixon Haskell. I have  
16 her remarks in letter form for the Commission.

17 There are just two points that I wanted to add,  
18 it has been covered very well by the neighborhood, is that  
19 the Rockridge area is about to embark on an area planning  
20 effort, a long-range plan to take into account the  
21 cumulative effects of these various developments. And we  
22 concur wholeheartedly with the serious deficiencies in the (22)  
23 Draft EIR and agree that the traffic and other impacts will  
24 be very adverse to the north Oakland and Rockridge area and  
25 to point out that it is not in conformance with the present

1 zoning.

2 CHAIRMAN SMITH: Thank you.

3 MS. LOTAR: And I am submitting the written  
4 remarks. Thank you for the time.

5 CHAIRMAN SMITH: You might also provide them to  
6 the various people that are on each side of the issue so  
7 that the Applicant and the neighborhood also has copies.

8 Okay. With that unless anyone has any questions  
9 I would close the Public Hearing.

10 AUDIENCE MEMBER: Mr. Chairman, I live right next  
11 door and I am purported --

12 CHAIRMAN SMITH: Sorry.

13 AUDIENCE MEMBER: -- to have approved all of  
14 this. I would like to make a very quick remark.

15 CHAIRMAN SMITH: If you could come forward and  
16 state your name.

17 MR. JAMES: Sir, would you submit a card?

18 MR. PRYLE: My name is Jim Pryle.

19 CHAIRMAN SMITH: Did you submit a card?

20 MR. PRYLE: And my house is pictured in here as  
21 one of the parties right next door.

22 MR. JAMES: Did you submit a card?

23 MR. PRYLE: Yeah.

24 MR. JAMES: Jim?

25 MR. PRYLE: Pryle, P-r-y-l-e.

1           We did meet with the MIEC people when we learned  
2   about the project. In fact, they gave us copies of the  
3   fo -- of the representations you see there.

4           What we met -- had to say, what we came to  
5   agreement with them on is represented in the EIR in a letter  
6   that's there. It's in the back. It states to the City of  
7   Oakland, Attention: Avril Tolley and it's signed by Michael  
8   Yovino-Young who represents the people who are right next to  
9   the sucker.

10          And I would ask you, please, when you look at  
11   what the attorney gave you as a representation of what we  
12   had to say to one another in that meeting, that you read  
13   this letter.

14           CHAIRMAN SMITH: Okay.

15           MR. PRYLE: Please read it.

16           CHAIRMAN SMITH: It is part of the EIR?

17           MR. PRYLE: It is part.

18           CHAIRMAN SMITH: Does it satisfactorily address  
19   the issues that you wish to have raised?

20           MR. PRYLE: It does except for one thing. The  
21   impression has been given here tonight that we approved the  
22   project and I point out to you, sir, that underlined on the  
23   second page is one sentence: The neighborhood residents  
24   oppose the granting of approval by the City of Oakland to  
25   the proposed building addition as now planned and designed.

1 We are opposed to the sausage.

2 But what we did was we met with them and said  
3 look, we live right next door. For gods sake give us --

4 MR. DELUCA: Salami.

5 MR. PRYLE: What?

6 MR. DELUCA: Salami.

7 MR. PRYLE: Whatever. Give us a casing.

8 We don't want to be adversely affected by it. If  
9 you must put it there, at least these ameliorations. That  
10 is our position. I wanted it known.

11 CHAIRMAN SMITH: Thank you.

12 MR. PRYLE: Thank you very much for hearing me.

13 CHAIRMAN SMITH: Close the public hearing for the  
14 furhter matter to staff on the EIR. Okay.

15 MR. JAMES: You might want to since we read both  
16 of them into --

17 CHAIRMAN SMITH: Did we read both of them?

18 MR. JAMES: Yes, we did.

19 CHAIRMAN SMITH: I am sorry. The issue of design  
20 review and the conditional use permit.

21 There are three speakers that are potentially on  
22 this issue. Two wish to address design issues. One wishes  
23 to address the conditional use permit.

24 Ms. Walsh, you are going to address the  
25 conditional use permit or have you already done that?



1 MS. WALSH: No, I haven't.

2 CHAIRMAN SMITH: Please come forward.

3 MS. WALSH: There is just one issue.

4 MR. JAMES: Please restate your name.

5 MS. WALSH: My name is Kathy Walsh.

6 MR. JAMES: Thank you.

7 MS. WALSH: There is just one additional thing  
8 that I would like to mention under this major conditional  
9 use permit and that is, I looked very carefully through the  
10 zoning ordinance before I talked to you. And under the C-31  
11 zoning, automotive fee parking is included among the  
12 conditionally permitted activities listed in Section 4479.  
13 This means that any type of parking other than automotive  
14 fee parking is excluded. And since the objective of this  
15 code is to allow parking that supports the uses permitted in  
16 the C-31 zoning, thus we believe that a finding cannot be  
17 made for this nonretail, nonoffice use. Thank you.

(23)

18 CHAIRMAN SMITH: Thank you. Any questions on  
19 that issue?

20 On the issue of design review we have Bill  
21 Dutcher or John Thomas. Could you come forward.

22 MR. DUTCHER: My name is Bill Dutcher. I live in  
23 the Rockridge neighborhood and I am the Chairman of the --  
24 Co-Chairman of the RCPC Design Review Committee.

25 I guess it doesn't need to be pointed out that

1 the existing buildings do not relate in any way to the  
2 context of the surrounding commercial area. If anything,  
3 their character could be described as suburban.

4 The proposed building is going to have similar  
5 materials as the MIEC building, shingles on the exterior.  
6 It's going to have similar windows to the Blood Bank and  
7 these are all as described in the EIR. It -- it will  
8 emphasize horizontal lines, simplified facade planes and  
9 rectilinear elements. It will also be a similar height to  
10 the adjacent buildings and it will be predominantly a  
11 natural wood color being similar materials, basically brown.

12 The design intention as indicated in the drawings (24)  
13 is to integrate the three buildings. The effect of this is  
14 to convert two large separate buildings into one monstrous  
15 building 480 feet long. Twice the length the Dreyer's  
16 building on College Avenue.

17 The scale and massing and design are nothing like  
18 the surrounding neighborhood and trying to hide them with  
19 planting as suggested in the EIR is not going to do the job.

20 I think that the -- it's clear that the design  
21 needs to be reconsidered. And I'd like to suggest a couple (25)  
22 of alternatives. The first alternative deals with the  
23 addition of additional office space on the upper level. If  
24 it is true as stated by the Applicant that the commercial  
25 space does not work in economic terms, it doesn't draw

1 tenants, which also may be a problem with the design of the  
2 building originally, that the existing ground floor  
3 commercial space could be converted to office space,  
4 reducing or eliminating the need for new office space.

5 MR. JAMES: Mr. Chairman, the time is up.

6 CHAIRMAN SMITH: Could you sum up?

7 MR. DUTCHER: The second item of alternative is (26)  
8 that the parking structure could be -- could accommodate the  
9 same number of automobiles with the one below grade floor as  
10 proposed and a surface level of at least 20 or 24 cars as  
11 they are now distributed on four levels so that you would  
12 virtually have no new structure at all, given those two  
13 alternatives taken together.

14 That's all I have to say.

15 CHAIRMAN SMITH: Thank you, sir.

16 Any questions?

17 Any testimony from the Applicant on the issue of  
18 the conditional use permit or the design review?

19 Okay. Close the Public Hearing on Item 16 and  
20 refer the matter to staff.

21 MR. JAMES: Mr. Chairman, I might note that  
22 essentially what you are doing is concluding the oral  
23 testimony portion of the Public Hearing.

24 CHAIRMAN SMITH: Yes.

25 MR. JAMES: In fact, the Public Hearing is still

1 open for purposes of receiving written comments until July  
2 15th.

3 CHAIRMAN SMITH: Okay. So anyone wishing to  
4 submit written commentary on the Environmental Impact Report  
5 should do so before July --

6 MR. JAMES: Do so by July 15. That's the  
7 deadline.

8 CHAIRMAN SMITH: Okay. July 15th. Thank you.  
9 We are going to take a short break.

10 (Recess taken at 10:13 p.m.)

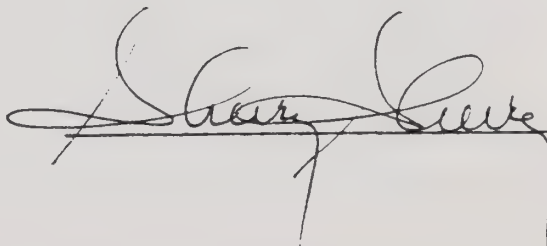
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## CERTIFICATE OF REPORTER

I, SHERRY SHERRY, a duly authorized shorthand reporter, do hereby certify:

That the foregoing transcript constitutes a true, full and correct transcript of my shorthand notes taken as such reporter of the proceedings herein and reduced to typewriting under my supervision and control to the best of my ability.

A handwritten signature in cursive script, appearing to read "Sherry Sherry", is written over a horizontal line. The signature is located on the right side of the page, between lines 9 and 11 of the text area.

**RESPONSE TO PUBLIC TESTIMONY**

1. See response to Comment 11 for Letter V.
2. See response to Comment 2 for Letter V.
3. See response to Comment 2 for Letter V.
4. See response to Comment 4 for Letter V.
- 4a. See response to Comment 11 for Letter VIII.
5. See response to Comment 7 for Letter V.
6. See response to Comment 7 for Letter V.
7. See response to Comment 9 for Letter V.
8. The traffic impacts of the project are discussed on pp. 72-80 of the DEIR. While the project would attract more vehicular traffic to the area, no significant project traffic impacts have been identified.

For purposes of a conservative analysis, trip generation was based on 18 new employees in the project, as stated on DEIR p. 72. The project sponsor has stated that 12 of those 18 employees would be relocated from the existing MIEC building. The conservative assumption allows for the potential replacement of those 12 relocated employees in the existing building. As stated on DEIR p. 72, those 18 employees would generate 100 daily trips, 10 a.m. peak-hour trips, and nine p.m. peak-hour trips.

9. The 96 daily trips figure, noted on p. 73 of the Draft EIR, refers to the total daily trips generated by the project. The project trip increases derived by comparing Figures 21 to 23, for eastbound and westbound trips on Claremont, is shown as peak-hour trips, not total daily trips, about 8 percent of daily trips.
10. The parking survey discussed on pp. 68-71 of the DEIR, analyzed on-street parking on residential streets in the project area rather than parking conditions on

major arterials. Claremont and College Avenues were included in the survey, even though they are major arterials, because they were considered as likely streets on which MIEC employees could park. The survey reviewed existing parking on all streets within one to two blocks of the project site, including 62nd Street between College and Hillegass Avenues. On the basis of discussions with City staff prior to preparation of the Draft EIR, the parking survey included streets identified as important to the analysis. Parking was not analyzed on Alcatraz Avenue. It is assumed that parking occupancy on Alcatraz is similar to that of nearby blocks, and that the occupancy on Alcatraz would not change the analysis of parking impacts, which found that the project would reduce the demand for on-street parking by MIEC employees (DEIR p. 80). Successful implementation of a Transportation Demand Management (TDM) Plan (DEIR p. 83, and pp. 68 - 70 of this Response to Comments document) could further reduce this on-street parking demand.

11. See response to Comment 3 for Letter IX.
12. See responses to Comment 11 for Letter V and Comment 2 for Letter VI.
13. See response to Comment 9 for Letter V.
14. See response to Comment 10 for Letter V.
15. See response to Comment 8 for Letter V.
16. See response to Comment 13 for Letter V.
17. For information on the need for the project, see Letters III and IV in Section IV. For traffic issues, see response to Comment 3 for Letter XVIII.
18. The DEIR, on p. 52, notes that metal louvers would be installed to limit the light from the parking garage that would be visible from outside the building. These louvers would be installed on both the north (Claremont Avenue) and south (Florio Street) sides of the building.

The DEIR identifies a mitigation measure (p. 60) that would reduce the spillover of light off the site through the design of the outdoor lighting and another measure

to install additional landscaping on the south side of the project. On p. 111, the DEIR identifies planting of additional deciduous trees around the proposed building as a mitigation measure to increase the aesthetic value of the project. In addition, trees now in place along the south side of the current Blood Bank surface-level parking lot and street trees along Florio and Auburn Streets shield portions of the existing MIEC and Blood Bank buildings from view from residences to the south.

Noise level increases resulting from project operation would not be significant. For a further explanation of operational noise levels, see response to Comment 8 for Letter VIII.

19. The DEIR, on p. 52, states that views from Florio Street and the southerly leg of Auburn Street would be affected by the project. On p. 55, the DEIR notes that views of the project from Florio Street would be partially obscured by existing trees (that would remain).

The project would include the removal of some existing trees on the project site and the replanting of trees following construction. None of the existing eucalyptus trees along the Florio Street (south) side of the site would be affected. Existing vegetation and the sponsor's revegetation plan is discussed on pp. 108-111 of the DEIR.

20. See response to Comment 12 for Letter V.
21. See response to Comment 2 for Letter IX.
22. The impacts of the project have been clearly defined in the Draft EIR. The Draft EIR identified no significant project impacts, except for construction noise, that could not be mitigated to a non significant level.
23. Under Section 4479(e) of the C-31 Zone Regulations, off-street parking serving activities, other than automotive fee parking listed under 4479(b), are conditionally permitted activities in the C-31 Zone. For an analysis of the project's compliance with the City of Oakland's Zoning Regulations see pages 34 and 38-39 of the Draft EIR.



24. See response to Comment 5 for Letter V.
25. See response to Comment 3 for Letter X.
26. See response to Comment 3 for Letter X and response to Comment 4 for Letter XII.



**VI. REPORT PREPARERS, AND PERSONS AND ORGANIZATIONS  
CONSULTED**

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Tim Craig, Operations Manager

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**VII. APPENDICES**

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A. OTHER PERSONS COMMENTING ON PROJECT

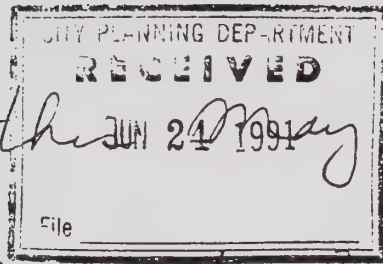
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The following letters address the project and not the adequacy of the DEIR.

Thus, they require no response.

June 21, 1991



To Whom this <sup>may</sup> Concern,

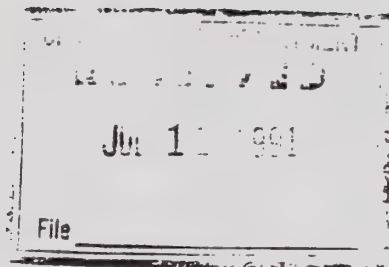
The proposed 3 story, 5 level  
office building at 6250 <sup>Claremont</sup>, is very much  
my concern. The surrounding  
Neighborhood on both sides of Clare-  
mont is residential and should  
be allowed the peace and serenity  
remaining (the already existent  
increase in businesses has led  
to some diminution of what peace  
and serenity existed here 20  
years ago). This is no place for  
such a structure. Far superior  
locations already exist in downtown  
Oakland or downtown Berkeley. There  
is not the existent aggregate of  
services in a small neighborhood



to support the burgeoning businesses  
proposed. If Oakland thinks that  
such an influx of business into a  
small neighborhood will increase  
revenues, it should remember the  
childhood story of the Goose that  
Layed the Golden Egg. Oakland is  
about to kill the goose! The  
increase in traffic, noise, con-  
gestion and street crime will per-  
pass tolerance and our lovely  
neighborhood will provide no more  
golden eggs. You've already allowed  
too much business to rise in this  
vicinity. Please stop before everyone  
loses !!!

Linda D. Carroll  
Lew Carroll  
3130 Lewiston Ave.  
Berkeley, <sup>CA</sup> Ca. 94705

330 62nd Street  
Oakland, California 94618  
653-7188



June 26, 1991

Charles S. Bryant, Environmental Review Coordinator  
Oakland City Planning Department  
One City Hall Plaza  
Oakland, California 94612.

Dear Mr. Bryant:

In response to continuing development in the Rockridge community, the following petition was circulated to the Hillegass area residents (map attached):

We, the residents of Hillegass Avenue and surrounding blocks are very concerned about the continuing increase of traffic in our residential neighborhood. We demand that the City of Oakland take immediate comprehensive steps to reduce the quantity and speed of traffic on Hillegass Avenue, 62nd Street, and 63rd Street and to improve pedestrian safety in our neighborhood. We feel that the importance of taking such measures is only enhanced by any new development.

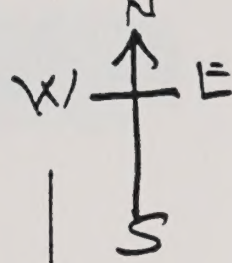
Attached are 125 signatures collected in less than one week to present at this public hearing on the environmental impact report for the Medial Insurance Exchange of California Office Building Expansion (File No. ER89-42). These signatures demonstrate our unified concern about traffic in our neighborhood.

Sincerely,

Nancy Hendrickson  
Petition Coordinator  
Hillegass Area Residents Association

cc: ✓ Stanley Muroaka, City of Oakland Planning Department  
Michael Pickering, City Traffic Engineer  
Marge Gibson Haskell, Oakland City Council, District 1  
Rockridge Community Planning Council

leatray



Phil Rynaker

al William Hillegass

63rd

Bob Firelocks

College

HILLEGASS AREA RESIDENCE ASSOCIATION

Bob McCarver

62nd

Holly Chapin

Nancy Henderson

61st

HILLEGASS AREA

Florence Gardner

Danbury

Claremont

Alicia Day/Marcy

60th

Hillegass Area Residence Association





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